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AGENTS

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WASHINGTON, D. C.

NO SLAVERY IN NEBRASKA: NO SLAVERY IN THE NATION: SLAVERY AN OUTLAW.

SPEECH OF GERRIT SMITH
ON
THE NEBRASKA BILL.

Delivered in Congress, April 6, 1854.

So, Mr. CHAIRMAN, the slavery question is up again!—up again, even in Congress!! It will not keep down. At no bidding, however authoritative, will it keep down. The President of the United States commands it to keep down. Indeed, he has, hitherto, seemed to make the keeping down of this question the great end of his great office. Members of Congress have so far humbled themselves, as to pledge themselves on this floor to keep it down. National political conventions promise to discountenance, and even to resist, the agitation of slavery, both in and out of Congress. Commerce and politics are as afraid of this agitation, as Macbeth was of the ghost of Banquo; and many titled divines, taking their cue from commerce and politics, and being no less servile than merchants and demagogues, do what they can to keep the slavery question out of sight. But all is of no avail. The saucy slavery question will not mind them. To repress it in one quarter, is only to have it burst forth more prominently in another quarter. If you hold it back here, it will break loose there, and rush forward with an accumulated force, that shall amply revenge for all its detention. And this is not strange, when we consider how great is the power of truth. It were madness for man to bid the grass not to grow, the waters not to run, the winds not to blow. It were madness for him to assume the mastery of the elements of the physical world. But more emphatically were it madness for him to attempt to hold in his puny fist the forces of the moral world. Canute's folly, in setting bounds to the sea, was wisdom itself, compared with the so much greater folly of attempting to subjugate the moral forces. Now, the power which is, ever and anon, throwing up the slavery question into our unwilling and affrighted faces, is truth. The passion-blinded and the infatuated may not discern this mighty agent. Nevertheless, Truth lives and reigns forever; and she will be, continually, tossing up unsettled questions. We must bear in mind, too, that every question, which has not been disposed of in conformity with her requirements, and which has not been laid to repose on her own blessed bosom, is an unsettled question. Hence, slavery is an unsettled question; and must continue such, until it shall have fled forever from the presence of liberty. It must be an entirely unsettled question, because, not only is it not in harmony with truth, but there is not one particle of truth in it. Slavery is the baldest and biggest lie on earth. In reducing man to a chattel, it denies that man is man; and, in denying, that man is man, it denies, that God is God—for, in His own image, made He man—the black man and the red man, as well as the white man. Distorted as are our minds by prejudice, and shrivelled as are our souls by the spirit of caste, this essential equality of the varieties of the human family may not be apparent to us all. Were we delivered from this prejudice, and this spirit, much of the darkness, which now obscures our vision, would be scattered. In proportion as we obey the truth, are we able to discern the truth. And if all, that is wrong within us, were made right, not only would our darkness give place to a cloudless light, but, like the angel of the Apocalypse, we should stand in the sun.

But to my argument. I am opposed to the bill for organizing the Territories of Nebraska and Kansas, which has come to us from the Senate, because, in the first place, it insults colored men, and the Maker of all men, by limiting suffrage to white men. I am opposed to it, because, in the second place, it limits suffrage to persons, who have acquired citizenship. The man, who comes to us from a foreign land, and declares his intention to make his home among us, and acts in harmony with such declaration, is well entitled to vote with us. He has given one great evidence of possessing an American heart, which our native could not give. For, whilst our native became an American by the accident of birth, the emigrant became one by choice. For, whilst our native may be an American, not from any preference for America, the emigrant has proved, that he prefers our country to every other.

I am opposed to the bill, in the third place, because, it is so drawn, as to convey the deceptive idea, (I do not say *intentionally* deceptive,) that the bill recognizes the doctrine of non-intervention. I call it deceptive idea: for, in point of fact, the bill does not recognize the doctrine of non-intervention. It dictates to the territories the form of their government, and denies to them the appointing of their principal officers. The bill is, itself, therefore, the most emphatic intervention. One-hundredth as much intervention on the part of the Federal Government with a State Government, would be condemned as outrageous and intolerable intervention.

But I must be frank, and admit, that, if the bill did really recognize the doctrine of intervention, I should still be opposed to it—ay, and for that very reason. This whole doctrine of Congressional non-intervention with our territories I regard as perfectly absurd. Congressional intervention with them is an imperative and unavoidable duty. The reasoning to this end is simple and irresistible. The people of the United States acquire a territory. Being theirs, they are responsible for its conduct and character:—and, being thus responsible, they not only have the right, but are absolutely bound, to govern the territory. So long as the territory is theirs, they can no more abdicate sovereignty over it than a State can abdicate sovereignty over one of its counties. But the people of the United States govern through Congress; and, hence, in respect to what is the people's, there must be Congressional intervention. In the nature of the case, this must be so. But the Constitution also shows, that it must be so. The Constitution declares the fact of the government of the Nation by itself; and it also recognizes the fact of the government of a State by itself. But, nowhere, does it so much, as hint at the government of a territory by itself. On the contrary, it expressly subjects the regulation or government of territories, to Congress, or, in other words, to the whole people of the United States.

I add, incidentally, that, in the light of the fact of the American people's responsibility for the conduct and character of their territories, it is absurd to claim, that New Mexico and Utah are to be exempt from slavery, because the Mexican Government had abolished slavery. Whether there can be legal slavery in those territories turns solely on the character of the Constitution—turns solely on the question, whether that paper is anti-slavery or pro-slavery. Again, in the light of this same fact, we see how absurd it is to claim, that there could, under the continued force of the French or Spanish laws, be slavery in the territory of Louisiana, after we had acquired it. If, after such acquisition, there was, or could be, legal slavery in the territory, it was solely because the Constitution—the only law, which then attached to the territory—authorized it. What, if when we had acquired the territory, there had been in it, among the creatures of French, or Spanish, or other law, the suttee, or cannibalism—would it not have been held, that these abominations were repugnant to the Constitution, and, therefore, without legal existence? Certainly.

I spoke of the Constitution, as the only law, which attaches to our territories. I was justified in this, because it is the only law of the people of the United States, when they are taken as a whole, or a unit. When regarded in sections, they have other laws also. The people of a State have the laws of their State, as well as the laws of their Nation. But, I repeat it, the people of the United States, when viewed as one, have no other law than the Constitution. Their Congress and Judiciary can know no other law. The statutes of the one and the decisions of the other must be but applications and interpretations of this one organic law.

Another incidental remark, is, that it is wrong to charge the opponents of this bill with denying and dishonoring the doctrine of "popular sovereignty." Holding, as we do, that to the people—the whole people—of the United States belong both the lands and the sovereignty of their territories, we insist, that to shut them out from governing their territories, would be to deny and dishonor the doctrine of "popular sovereignty." It is the friends of the bill, who, provided it is, as they claim, a bill for non-intervention, that are to be charged with violating the doctrine of "popular sovereignty," and the principles and genius of democracy. I close, under this head, with saying, that should real non-intervention obtain in regard to these territories, it would be a very great and very astonishing change from our present policy. The inhabitants of a territory have no vote in Congress. Nevertheless, real non-intervention would vest them with the exclusive disposal of important affairs, which are, now, at the exclusive disposal of Congress. It would compensate them for their present political disabilities with an amount of political power greatly exceeding that enjoyed by an equal handful of the people of a State.

To prevent misapprehension of my views, I add, that I am not opposed to making inhabitants of the territory officers of the territory. As far as practicable, I would have none others for its officers. But, whilst the territory is the nation's, all its officers should be acknowledged to be officers and servants of the nation.

I proceed to say, that I am opposed to this bill, in the fourth place, because it looks to the existence of slavery in these territories, and provides safeguards for it. In other words, Congress does, by the terms of the bill, open the door for slavery to enter these territories. The right of Congress to do so I deny. I deny it, however, not because the compromise of 1820 denies it. Believing that compromise to be invalid, I cannot honestly claim anything under it. I disclaim all rights under it, for the simple reason, that a compromise conceived in sin and brought forth in iniquity, can impart no rights—for the simple reason, that a compromise, which annihilates rights, cannot create rights. I admit, that the compromise of 1820 concedes the indestructibleness of manhood north of the line of 36° 30′, excepting in Missouri. But, on the other hand, it atones for this concession to truth and justice by impliedly leaving men south of that line, and in Missouri, to be classed with brutes and things. I admit, too, that they, who are enjoying the share of slavery under this compromise, and who, now, that freedom was about to enter into the enjoyment of her share under it—I admit, I say, that they are estopped from joining me in pronouncing the Missouri compromise invalid. They must first surrender their share under the compromise—they must first make restitution to Freedom—ere they can, with clean hands and unblushing faces, ask her to forego the enjoyment of her share. "But this condition is impracticable!" will some of my hearers say. Oh no! nothing is impracticable, that is right. Exclude slavery from Missouri and Arkansas for thirty-four years; and then freedom and slavery will be on an equal footing, and they can make a new bargain. [Laughter.]

Nor do I deny the right of Congress to open the door for slavery into these territories, because the compromise of 1850 virtually denies it. I say that compromise virtually denies it, because it distinctly and approvingly recognizes the compromise of 1820. The compromise of 1850 is as rotten as the compromise of 1820; and as incapable of imparting rights. And here let me say, that I rejoice to see the pro-slavery party pouring express contempt on the compromise of 1820, and virtual contempt on the compromise of 1850. And why should not all men pour contempt upon these compromises, and upon all other compromises, which aim "to split the difference" between God and the devil? [Great laughter.] By the way, we have striking proof, in the instance of this bill, that, in the case of such compromises, God's share and all are, in the end, very like to be claimed for the devil. [Renewed laughter.]

I have said on what grounds it is not, that I deny the right of Congress to open the door for slavery into these territories. I will now say on what ground it is. I deny it on the ground, that the Constitution, the only law of the territories, is not in favor of slavery, and that slavery cannot be set up under it. If there can be lawful slavery in the States, nevertheless there cannot be in the territories.

In the fifth and last place, I am opposed to the bill, because it allows, that there may be slavery in the States, which shall be formed from these territories.

Hitherto, when the slavery question has been brought up in Congress, it has been alleged, (I say not how truly or untruly,) that the anti-slavery party has brought it up, and for the purpose of checking slavery. But, now, it is, confessedly on all hands, brought up by the pro-slavery party, and for the purpose of extending slavery. In this instance, the pro-slavery party is, manifestly, the instrument, which truth has wielded to subserve her purpose of re-awakening the public mind to the demands and enormities of slavery. Most sincerely do I rejoice, that the pro-slavery party is responsible for the present agitation.

A MEMBER. I do not admit, that it is.

Mr. SMITH. Strange! Here is a movement for the immense extension of slavery. Of course, it is not the work of the anti-slavery party. And if the honorable member, who has just interrupted me, is authorized to speak for the pro-slavery party, it is not the work of that party either. I took it for granted, that the pro-slavery party did it. But, it seems it did not. It puts on the innocent air of a Macbeth, and looks me in the face, and exclaims: "Thou canst not say I did it!" [Laughter.] Well, if neither the anti-slavery party, nor the pro-slavery party, did it, who was it, then, that did it? It follows, necessarily, that it must be the work of the Lord, or the devil. [Laughter.] But, it cannot be the work of the Lord—for the good book tells us: "Where the spirit of the Lord is, there is liberty"—liberty, not slavery. So, this Nebraska business must be the work of the devil. [Great laughter.] But logical as is this conclusion, I am, nevertheless, too polite to press it. I prefer to repudiate the alternative, that puts the responsibility on the Lord or the devil; and to return to my original assertion, that the pro-slavery party, and not the anti-slavery party, is responsible for the present agitation. Do not understand, that I would not have the anti-slavery party agitate. I would have it agitate, and agitate, and agitate forever. I believe, that the agitation of the elements of the moral world is as essential to moral health, as is the agitation of the elements of the physical world to physical health. I believe in the beautiful motto: "The agitation of thought is the beginning of truth." I was very happy to hear the honorable gentleman of Pennsylvania, [Mr. WRIGHT,] express his faith and pleasure in agitation. Not less happy was I to hear the honorable gentleman of North Carolina, [Mr. CLINGMAN,] approve of the discussion of Slavery. Such good abolition doctrine from such surprising sources was very grateful to me. Perhaps, these gentlemen will continue to move forward in that blessed upward way, on which they have happily entered; and, perhaps, ere the session shall close, they will have reached that table-land of abolition, on which it is my privilege to stand. Let me assure them, for the purpose of cheering them onward, that, when they shall arrive there, they shall not lack my warm greetings and the cordial grasp of my hand. [Great laughter.] Sir, you must permit me to indulge some hope of the conversion of these gentlemen. Indeed, when I heard the honorable gentleman of North Carolina speak of himself as "an independent"—as a party of one—as in that lone condition, in which he had so recently heard me say, that I find myself—was I not at liberty to imagine, that he was throwing out a sly, delicate hint to my ear, that he would like to "join teams" with me, and so make up a party of two? [Repeated roars of laughter.] I do not forget, that, at the close of his speech, he said some very hard things against us naughty abolitionists. But how could I be sure, that he did not say these hard things for no other purpose than to blind all around him, save, of course, my own apprehensive, because kindred and sympathizing, spirit, to that fraternal union with me, which I have supposed his heart was then meditating?

I said, a little while ago, that I rejoice, that the pro-slavery party is responsible for the present agitation. I add, that I am half reconciled to this attempt to extend the dominion of slavery, because it affords us so inviting an opportunity to inquire into the title of slavery. If my neighbor tries to rob me of my farm, he, at least, affords me an occasion for inquiring into the tenure, by which he holds his own farm. Freedom having been driven by slavery, until she has surrendered to her pursuer nine new States; and until slavery claims, as we see in the present Bill, equal right with herself to overspread all the unorganized territory of the nation; it is, in my judgment, high time for her to stop, and to turn about, and to look slavery in the face, and to push back the war—ay, and to drive the aggressor to the wall, provided she shall find, that slavery, in all its progress, and history, is nothing but an aggression upon liberty and law, and upon human and divine rights; and that, in truth, it has no title to any existence whatever, on any terms whatever, anywhere whatever. This is a proper stage of my argument for saying, that we all know enough of freedom and slavery to know, that they cannot live together permanently. One must conquer the other. American slavery lacks but two things to make sure of her victory over American liberty: and, from present indications, she is determined to lack them no longer. One of these two things is its conceded right to overspread all our unorganized territory; and the other is its conceded right to carry slaves through the free States. Let slavery succeed in these two respects:—let the bill, we are now considering, become a statute; and let the final decision in the Lemmon case[*] sustain the claim to carry slaves through the free States—ay, and even to drive coffles of slaves through them, whip-in-hand; thus breaking down the public sentiment of those States against slavery; and debauching and wasting it by familiarizing it with the demands and exhibitions of slavery;—and then, I admit, the way will be clear for slavery to make a quick and easy conquest of liberty.

I, again, acknowledge my partial reconcilement to this attempt of slavery to get more—to this bold push for all, that is left, so far as unorganized territory is concerned. We have now the best of opportunities for trying the title of slavery, not only to more—but, also, to what it already had. And, now, if slavery shall come off as badly as the dog, who, in opening his mouth to seize another piece of meat, lost, in the deceitful and shadow-casting stream, the piece he already had, it will have no one to blame for its folly, but its own voracious self. It should have been content with the big share—the lion's share—which it already had.

But to return from this digression. I said, that I am opposed to the bill, because it allows, that there may be slavery in the States, which shall be formed from these territories. Why, however, should I be, therefore, opposed to it? I will, without delay, come to the reason for my opposition. My time, being so precious, because so limited, I will waste none of it in apologies, circumlocutions, or skirmishes. But I will, at once, "take the bull by the horns," and declare, that I deny the right of Congress to look to the existence of slavery in the States, that shall be formed within these territories, because I deny, that there can be Constitutional slavery in any of the States of the American Union—future States, or present States—new or old. I hold, that the Constitution, not only authorizes no slavery, but permits no slavery; not only creates no slavery in any part of the land, but abolishes slavery in every part of the land. In other words, I hold, that there is no law for American slavery.

I had not intended a moment's further delay in entering upon my argument to prove, that the Constitution calls for the suppression of all American slavery. But I must, before entering upon it, beseech the Committee to hold no other member of Congress responsible for it. Let the reproach of this argument—of this foolish argument, if you please—nay, of this insane argument, if you prefer that epithet—fall on myself only. Blame no other member of Congress for it. I stand alone. I am the first, and, perhaps, I shall be the last, to declare within these walls, that there is no law for slavery. I say, that I stand alone. And, yet, I am not alone. Truth is with me. I feel her inspirations. She glows in my soul: and I stand in her strength.

THERE IS NO LAW FOR AMERICAN SLAVERY.

Mansfield's decision in the Somerset case established the fact, that there was no law for slavery in England in 1772:—and if none in England, then none in America. For, by the terms of their charters, the Colonies could have no laws repugnant to the laws of England. Alas! that this decision was not followed up by the assertion of the right of every American slave to liberty! Had it been, then would our land, this day, be bright and blessed with liberty, instead of dark and cursed with slavery. Alas, that the earlier decision than Mansfield's was not thus followed up! This earlier decision was of the Superior Court of Massachusetts, and was of the same character with Mansfield's.—[*James vs. Lechmere, Washburn*, 202.] We are not at liberty to regard this decision of the Court of Massachusetts as wrong, because Massachusetts slavery was not abolished in consequence of it. It is no more wrong, because of that fact, than is Mansfield's, because of the like fact. Slavery in England survived Mansfield's decision. Even seven years after it, and advertisements, such as this, could be found in English newspapers:

"To be sold by auction at George Dunbar's 'office, on Thursday next, the 20th instant, at 1 'o'clock, a black boy, about fourteen years of 'age, &c. Liverpool, Oct. 15, 1779."

There was no law for American slavery, after the Declaration of Independence was adopted. Had there been any before, this paper swept it all away. Chief Justice Shaw suggests, that it was this paper, which abolished slavery in Massachusetts.—[*Commonwealth* vs. *Thomas Aves.*] No less fatal was it, however, to the legality of slavery in other parts of the nation. The Declaration of Independence is the highest human authority in American politics. It is customary to trace back the origin of our national existence and our American Union to the Federal Constitution, or to the Articles of Confederation. But our national existence and our American Union had their birth in the Declaration of Independence. The putting forth of this paper was the first sovereign act of the American people—their first national and authoritative utterance. The Declaration of Independence was the declaration of the fact of the American Union: and to that paper pre-eminently are we to look for the causes and character and objects of the American Union. It was for a present, and not for a prospective, Union—for a Union already decided on, and not a contingent Union—that our Fathers went through a seven years war. It is noteworthy, that the object of the Constitution, as set forth by itself, is not to originate a Union, but "to form a more perfect Union"—that is, to improve on an already existing Union. The Articles of Confederation and the Federal Constitution were but expedients for promoting the perpetuity, and multiplying and securing the happy fruits, of this Union. Not only is it not true, that the Articles of Confederation and the Federal Constitution are paramount to the Declaration of Independence, but it is true, that the Congress of the Confederation and the Convention, which framed the Constitution, derived all their legitimacy and authority from the Declaration of Independence. You might as well talk of supplanting the Bible with the farthing Tract written to expound it, as talk of supplanting the Declaration of Independence with any subsequent paper. Truly, did one of the eminent statesmen [Gen. ROOT] of my State say: "That the Declaration of Independence is the 'fundamental law of the land in all those States, 'which claimed or admitted, that that instrument 'was framed by their agents;" and truly did another of them [JOHN C. SPENCER] say, that it is "the corner-stone of our Confederacy, and is above all Constitutions and all Laws." Yes, the Declaration of Independence is the very soul of every legitimate American Constitution—the Constitution of Constitutions—the Law of Laws.

I repeat it—if there was legal slavery in this land before the Declaration of Independence was adopted, there, nevertheless, could be none after. The great truth of this paper is, that all men are created equal, and have inalienable rights. Does this paper speak of Civil Government as necessary? It does so, because this great truth makes it necessary. It does so, because it is necessary to preserve these rights. Does this paper claim the right to alter or abolish the Government? It claims it, for the sake of this great truth. It claims it, in order to provide better security for these rights.

I do not forget, that the Declaration of Independence has fallen into disrepute among the degenerate sons of the men, who adopted it. They ridicule it, and call it "a fanfaronade of nonsense." It will be ridiculed, in proportion as American slavery increases. It will be respected, in proportion as American slavery declines. Even Members of Congress charge it with saying, that men are born with equal strength, equal beauty, and equal brains. For my own part, I can impute no such folly to THOMAS JEFFERSON and his fellow-laborers. I understand the Declaration of Independence to say, that men are born with an equal right to use what is respectively theirs. To illustrate its meaning, at this point:—if I am born with but one foot, and one eye, and an organization capable of receiving but one idea, I have a right to use my one foot, and one eye, and one idea, equal with the right of my neighbor to use his two feet, and two eyes, and two thousand ideas.

The enunciation of this great centre truth of the Declaration of Independence, would have justified every American slave, at the time of that enunciation, in claiming his liberty. Suppose that, after the adoption of the Declaration of Independence, an American patriot had been seized by a British force, and put on trial for rebellion against the King, would not that paper have justified him in calling on his countrymen to deliver him? Certainly; for that paper asserts the right to break away from his allegiance to the King, and pledges the "lives, fortunes, and sacred honor" of his countrymen to maintain that right. But suppose, that, after the adoption of the Declaration of Independence, an American slave had asserted his right to liberty, might he not, as well as the patriot referred to, have called on his countrymen to acknowledge and defend his right? Certainly; and a thousand fold more emphatically. For the right of the patriot to dissolve his allegiance to the Crown is but a deduction from the great centre truth of the paper, that all men are created equal, and have inalienable rights. But the title of the slave to his liberty—that is, to one of these inalienable rights—is this great centre truth itself. The title of the slave to his liberty is the great fountain-head right. But the title of the patriot to be rescued from his peril is only a derivation from that fountain-head right.

We add, as a reason, why this great centre truth of human equality and inalienable right to liberty is entitled to supremacy in all the shaping and interpretation of American politics, that, but for it, and for the place it occupies in the Declaration of Independence, there would have been no American Constitution, and no American nation, and no American liberty. But for the commanding principle and mighty inspiration of this great centre truth, the colonists could not have been aroused to their glorious achievement. It was *in hoc signo*—it was by this sign—that our fathers conquered. Again: but for this commanding principle, and this mighty inspiration, the aid—the indispensable aid—that came to us from foreign shores, would not have come. Said LAFAYETTE to THOMAS CLARKSON: "I would never 'have drawn my sword in the cause of America, 'if I could have conceived, that thereby I was 'founding a land of slavery." And there was KOSCIUSKO, at whose fall "Freedom shrieked," and who provided by the will, written by himself, that his property in America should be used by his anti-slavery friend, THOMAS JEFFERSON, in liberating and educating African slaves. Surely, he would not, with his eyes open, have fought to create a power, that should be wielded in behalf of African slavery! Oh, how cruel and mean a fraud on those, who fought for American liberty, to use that liberty for establishing and extending American slavery!

But we pass on from the Declaration of Independence to the Federal Constitution, and suppose, for the sake of the argument, that slavery survived the Declaration of Independence. Now, our first question is not what *is* the character of the Constitution, in respect to slavery, but what, from the circumstances of the case, might we reasonably expect to find its character, in this respect. Its reasonably expected character may be thought by many to shed light upon its actual character. Looking at the circumstances of the case, are we to expect to find the Constitution pro-slavery or anti-slavery?—made to uphold slavery, or to leave it an unprotected outlaw?

It is argued, that the Constitution must be on the side of slavery, for the reason, that it did not specifically demand the instant death of slavery. There is, however, no force in this argument, if we reflect, that American slavery was, at that time, a dying slavery; and that, therefore, even those of our statesmen, who were most opposed to it, were generally willing to leave it to die a natural death, rather than to force it out of existence. Were a man condemned to be hung—nevertheless, if, when the day for hanging him had arived, he were on his death-bed, you would not hang him, but you would leave him to die on his bed—to die a natural, instead of a violent, death. That our fathers did not anticipate the long continuance of slavery, is manifest from their purpose disclosed in the Preamble of the Constitution and elsewhere, to set up a government, which should maintain justice and liberty. They knew, that no government could prove itself capable of this, if under the influence, especially the overshadowing influence, of slavery.

It is further argued, that the Constitution must be on the side of slavery, because were it not on that side, the slaveholders would not have consented to its adoption. But they, who argue thus, confound the slaveholders of that day with the slaveholders of this. They forget, that the slaveholders of that day breathed the spirit of the Declaration of Independence, and were captivated by the doctrine of the human brotherhood. They forget, that the slaveholders of that day were impatient to emancipate their slaves, and that in Virginia, where the number of slaves was so much less than now, they were emancipated, at that period, at the rate of a thousand a year. They forget, that there were Abolition Societies in slave States, both before and after the year 1800. They forget, that Washington and Jefferson were practical emancipationists. They forget, that, whilst the slaveholders of this generation are intent on perpetuating and extending slavery, the slaveholders of that generation, studied how to abolish it, and rejoiced in the prospect of its speedy abolition. They, forget, that, whilst the slaveholders of this day are eager to overspread our whole national territory with slavery, all the slaveholders of that day joined with all other Americans in denying it new territory, and excluding it from every foot of the national territory. They forget, that all the States, at that time, with the exception of South Carolina and Georgia, advocated the anti-slavery policy; and that even these two States could hardly be said to have opposed it. And what, more than everything else, they should not forget, is that, over the whole length and breadth of the land, slavery was, at that day, a confessed sin—a sin it is, true, that all involved in it had not the integrity to put away immediately—but a sin, nevertheless, which all of them purposed to put away, in no very distant future. How striking the contrast, in this respect, between the circumstances of the slaveholder of that time and the slaveholder of this! Now, the Bible, both at the North and at the South, is claimed to be for slavery; and now the church and church-ministry, at the South, do nearly all go for slavery; and at the North, do nearly all apologize for it. Now, slavery is right, and the abolition of it wrong. Now, the slaveholder is the saint, and the abolitionist the sinner. To illustrate, in still another way, the absurdity of inferring what slaveholders desired and did, sixty or seventy years ago, from what they desire and do now:—the pecuniary motive of the slaveholder to uphold slavery is now very strong. Then, it was very weak. American cane-sugar, now wet with the tears and sweat and blood of tens of thousands of slaves, was then scarcely known. American cotton, which now fills the markets of the world, was then in none of the markets of the world. Then it was not among the interests of our country. Now, it is its dominant interest. It sways church and state and commerce, and compels all of them to go for slavery. Then the price of the slave, that now sells for a thousand or fifteen hundred dollars, was but two hundred dollars.

I need say no more to show how liable we are to misinterpret the desires and designs of our fathers, in regard to the Constitution, if we look through the medium of the pro-slavery spirit and interests of our own day, instead of the medium of the anti-slavery spirit and interests of their day. To judge what character they would be like to give to the Constitution, in respect to slavery, we must take our stand-point amidst the anti-slavery scenes and influences of that period, and not amidst the pro-slavery scenes and influences, which illustrate and reign over the present.

I readily admit, that the slaveholders of the present day would not consent to the making of any other than a pro-slavery Constitution. I even admit, that, had the making of the Constitution been delayed no more than a dozen years, it would, (could it then have been made at all,) have been pro-slavery. I make this admission, because I remember, that, during those dozen years, Whitney's cotton gin, (but for which invention American slavery would, long ago, have disappeared,) came into operation, and fastened slavery upon our country.

In the light of what I have said, how improbable it is, that the slaveholders were intent on having the Constitution made to uphold slavery. But, in the light of what I shall now say, how improbable it is, that such a Constitution was made. Mr. Madison was among the most influential members of the Convention, that framed the Constitution; and when he declared, in the Convention, that he "thought it wrong to admit in the 'Constitution the idea, that there could be property in man," not one person objected to the declaration. Indeed, the framers of the Constitution, not only kept it clear of the words "slave" and "slavery" and of all words of similar import, but they obviously determined, that, if after ages should make the humiliating discovery, that there had been slavery in this land, there, nevertheless, should be nothing in the pages of the Constitution to help them to such discovery. For instance, the word "service" occurs repeatedly in the Constitution. But only four days before the Convention closed its labors, the word "servitude" was struck out of the Constitution, and the word "service" unanimously adopted in its place, for the avowed reason, that the former expresses the condition of slaves, and the latter the obligations of free persons. I add the incidental remark, that if the Constitution is responsible for slavery, it is so, because of the knavery, or ignorance, of its framers. If on the one hand, notwithstanding their avowed reason for the substitution of "service" for "servitude," they still intended to have the Constitution thus responsible, then they were knaves:—and if, on the other, they honestly intended to keep the Constitution clear of this guilty responsibility, and yet failed to do so, then does such failure betray their gross ignorance—their gross ignorance of the true meaning, and fit use, of words. Happily, for those, who give an anti-slavery construction to the Constitution, they are under no necessity and no temptation to interpret the motives and conduct of its framers in the light of so odious an alternative. The pro-slavery party alone are compelled so to interpret them. Now, even were it true, that the framers of the Constitution, and all of them, too, sought to smuggle slavery into it—to get it into it, without its being seen to be got into it—nevertheless, how could they accomplish this object, which, by the restrictions they had imposed on themselves, they had rendered impracticable? To work slavery into the Constitution, and yet preserve for the Constitution, that anti-slavery appearance, which, from the first, they had determined it should wear, and which they knew it must wear, or be promptly rejected by the people, was as impossible, as to build up a fire in the sea.

But we will remain no longer outside of the Constitution. Indeed, there is nothing, and there can be nothing, outside of it, which can determine, or in any wise affect, its character on the subject of slavery. Nothing in the history of the framing, or adoption, or operation, of the Constitution, can be legitimately cited to prove, that it is pro-slavery or anti-slavery. The point is to be decided by the naked letter of the instrument, and by that only. If the letter is certainly for slavery, then the Constitution is for slavery—otherwise not. I say, if it is *certainly* for slavery: I say so, because slavery realizes the highest possible conception of radical injustice; and because there is no more reasonable rule of interpretation than that, which denies, that a law is to be construed in favor of such injustice, when the law does not in clear and express terms, embody and sanction it. The Supreme Court of the United States have adopted this rule in these words: "Where rights are infringed, where fundamental 'principles are overthrown, where the general 'system of the laws is departed from, the legislative intention must be expressed with irresistible 'clearness to induce a court of justice to suppose 'a design to effect such objects."—2 *Cranch*, 390. The same enlightened and righteous policy, which led Mansfield to say, that "slavery is so odious, 'that nothing can be suffered to support it but 'positive law," obviously demands, that no law shall be cited for slavery, which is not expressly and clearly for slavery.

Much stress is laid on the intentions of the framers of the Constitution. But we are to make little more account of their intentions than of the intentions of the scrivener, who is employed to write the deed of the land. It is the intentions of the adopters of the Constitution, that we are to inquire after; and these we are to gather from the words of the Constitution, and not from the words of its framers—for it is the text of the Constitution, and not the talk of the Convention, that the people adopted. It was the Constitution itself, and not any of the interpretations of it, nor any of the talks or writings about it, that the people adopted.

Suppose, that the bill, now under discussion, should, unhappily, become a statute—would it be necessary, in order to understand it, to know what the honorable gentleman of Kentucky, [Mr. PRESTON,] who preceded me, said of it, or what I am saying of it? Certainly not. If I mean what I say, nevertheless, my words could have no legitimate bearing on the interpretation of the statute. But my speech may be insincere. I may, as, doubtless, many a legislator has done, be practicing on Talleyrand's definition: "Language is the art of concealing the thoughts:"—and pray, what help, in that case, to the just interpretation of the statute, could my speech afford?

I said, that the Constitution is what its adopters understood it to be—not what the distinguished few among them—but what the masses—understood it to be; and what that was, the abolition petition, headed with the name of BENJAMIN FRANKLIN, and presented to the first Congress under the Constitution, strikingly indicated. That it was not successful is another evidence, that the views of the people often differ from the views of office-holders. Or, the failure was, perhaps, more properly to be regarded, as an evidence of the understanding, which, doubtless, did exist among, at least, some of the statesmen of that day, that slavery was not to be killed by the immediate application of the powers of the Constitution, but was to be allowed to linger through that age. Whilst, I deny, that there is a word in the Constitution to authorize the continuance of slavery, I, nevertheless, admit that there was, outside of the Constitution, the understanding to which I have referred—an understanding confined, however, to a few, and for which the masses were not responsible. A sad mistake, as it turns out, was this suffering of slavery to drag out its death-struck and feeble existence through that generation, in which the Constitution was adopted!—for, it was in that very generation, that, in consequence of the invention already spoken of, slavery became strong, and began to demand prolonged life and vast powers as a right—an absolute and permanent right. The slut, in La Fontaine's fable, on the eve of becoming a mother, implored the brief loan of a kennel. But having once got possession of it, she found excuse for continuing the possession, until her young dogs were grown up. With this reinforcement, it is not strange, that she should be inspired by the maxim, "might makes right," and should claim, as absolutely her own, that which had only been lent to her—and lent to her, too, so generously and confidingly. This fable illustrates, but too well, the successive feebleness, and growth, and usurpation of slavery.

We begin with the Preamble of the Constitution. This, at least, is anti-slavery: and this tells us, that the Constitution is anti-slavery—for it tells us, that one thing, for which the Constitution was made, was "to secure the blessings of liberty"—not to inflict, or sustain, the curse of slavery—but "to secure the blessings of liberty." I admit, that the Preamble is not the Constitution. I admit, that it is but the porch of the temple. Nevertheless, if, instead of the Demon of Slavery coiled up in that porch, we see the Goddess of Liberty standing proudly there, then we may infer, that the temple itself, instead of being polluted with Slavery, is consecrated to Liberty. And we are not mistaken in this inference. As we walk through the temple, we find, that it corresponds with the entrance. The Constitution is in harmony with the Preamble.

The first reference, in the Constitution, to slavery, is in the apportionment clause. There is, however, no reference to it here, if the language is interpreted, according to its legal sense, or if the framers of the Constitution were intelligent and honest. It must be remarked, that it was from this clause, that they struck out the word "servitude," for the avowed purpose of saving it from being a pro-slavery clause. But, in point of fact, if this clause does refer to slavery, it is, nevertheless, a clause not to encourage, but to discourage, slavery. The clause diminishes the power of a State in the national councils in proportion to the extent of its slavery. This clause is, in truth, a bounty on emancipation. Had it provided, that drunkards should each count but three-fifths of a man, it, surely, would not be called a clause to encourage drunkenness. Or, had it provided, that they, who can neither read nor write, should each count but three-fifths of a man, it, surely, would not be called a clause to encourage illiterateness. In the one case, it would be a bounty on sobriety, and, in the other, on education.

The next clause of the Constitution, which we will examine, is that, which, confessedly, empowers Congress to abolish the foreign slave-trade. I, of course, mean the clause, which empowers Congress to regulate commerce with foreign nations. Yes, the slave States confessedly conceded to Congress the power to abolish that trade; and Congress did actually abolish it. But, it is said, that the provision, respecting "migration or importation," suspended the exercise of this power for twenty years. Under no legal and proper sense of it, however, does this provision refer to slaves. But, for the sake of the argument, we will admit, that it does, and that it had the effect to suspend, for twenty years, the exercise of the power in question. What then? The suspension could not destroy, nor, to any degree, impair, the essential anti-slavery character of the clause under consideration. On the contrary, the suspension itself shows, that the clause was regarded, by the makers of the Constitution, as potentially anti-slavery—as one, that was capable of being wielded, and that, probably, would be wielded, to suppress the slave-trade. I would add, that this brief suspension goes to justify the position, that American slavery was looked upon, in that day, as a rapidly expiring practice—as a vice, that would die out, in a few years. There is much historical evidence, that the abolition of the slave-trade was looked to by many, if not, indeed, by most, at that time, either as equivalent to, or as sure to result in, the abolition of slavery. The power given to Congress to abolish the slave-trade, Mr. DAWES, in the Massachusetts Convention, that adopted the Constitution, declared to be "the mortal wound" of slavery.

Manifestly, the clause of the Constitution, which imparts power to abolish the slave-trade, and not that, which briefly suspends the exercise of this power, gives character to the Constitution. If my neighbor deeds me his farm, only reserving to himself the possession of it for a month, (and a week in the life of an individual is longer than twenty years in the life of a nation,) it would, certainly, be very absurd to call it a transaction for continuing him in the ownership and possession of the farm. Or, if the bargain, which I make with my neighbor, is, that, after a week's delay, he shall come into my service for life, it is certainly not this little delay, that is to stamp the essential and important character of the bargain.

I have referred to only a part of the clause, which gives power to Congress to abolish the slave-trade; to only that part, which respects the foreign slave-trade. I, now, add, that this clause gives equal power to abolish the inter-State slave-trade. And if it does, how idle must it be to say, that a Constitution, which empowers Congress to abolish, not only the foreign, but the domestic slave-trade, is a Constitution for slavery! To abolish the domestic slave-trade is to cut the very jugular of slavery.

But it is said, that the power "to regulate commerce among the several States" is not a power to abolish the slave-trade between them. But, if it is not, then the power "to regulate commerce with foreign nations" is not a power to abolish the African slave-trade. Nevertheless, Congress held, that it was; and, in that day, when slavery was not in the ascendant, everybody agreed with Congress.

It is further said, that the Constitution knows human beings only as persons; and that, hence, the inter-State traffic in slaves, being, in its eye, but migration or travel, Congress has no power to suppress it. Then, what right had Congress to abolish the African slave-trade? The subjects of that traffic, no less than the subjects of the inter-State traffic, are persons. Another reply, which we make to the position, that all human beings are persons in the eye of the Constitution, is that it cannot lie in the mouth of those, who carry on the traffic in slaves, to ignore the true character of that traffic, and to shelter its chattel-subjects under the name of persons. And another reply, which we make to this position is, that it is true; and that, hence, the traffic in slaves, every slave being a person, is unconstitutional. If the Constitution grants power to Congress over commerce, it necessarily defines the subjects of the commerce. Such definition is involved in such grant. But slaves cannot come within such definition—for slaves are persons, and persons cannot be the subjects of commerce. And still another reply, that we have to make to those, who would exempt the inter-State traffic in human beings from the control of Congress, on the ground, that Congress can know no human being as a chattel, or as other than a person, is that they are driven by logical consistency and logical necessity to the conclusion, that the Constitution has power to sweep away the whole of American slavery. The Constitution extends its shield over every *person* in the United States; and every *person* in the United States has rights specified in the Constitution, that are entirely incompatible with his subjection to slavery.

Ere leaving this topic, I would notice an objection, which is frequently heard from the lips of earnest anti-slavery men. It is, that the Constitution omits to command Congress, in terms, to abolish the African slave-trade, even at the end of the twenty years. But why do they fail to see, that this very omission marks the anti-slavery character of the Constitution and of the day, when it was written? Doomed slavery then needed an express stipulation for its respite. But to enjoin anti-slavery action upon those, who could be held back from it only by such express stipulation, was, of course, deemed superfluous. The sentence of the court is, that the mother shall not kiss her infant for twenty days. The court need not enjoin, that she shall kiss it, after the twenty days are expired. Her love for her infant makes such injunction quite superfluous. So was it unnecessary to enjoin upon the anti-slavery zeal of our fathers the abolition of the slave-trade, at the expiration of the twenty years. Scarcely had the twenty years expired, before that zeal forbade, under the heaviest penalties, the continuance of that accursed trade. An ancient nation regarded parricide as too unnatural and monstrous a crime to need the interdiction of law. And our fathers regarded the African slave-trade as a crime so unnatural and monstrous, as to make their injunctions on Congress to abolish it altogether superfluous.

We have, now, disposed of two of the three clauses of the Constitution, which are assumed to be pro-slavery, viz: the apportionment clause, and the migration and importation clause. The third refers to fugitive servants, but certainly not to fugitive slaves. Whether we look at the letter or history of this clause, it can have no reference to slaves. No one pretends, that slaves are expressly and clearly defined in it; and, hence, according to the rule of the Supreme Court, which I have quoted, slaves are not referred to in it. Again, none deny, that the terms of the clause make it applicable to apprentices, minor children, and others. All admit, that, in the most natural use of language, it is capable of innocent applications.

The clause, under consideration, speaks of a "person held to service or labor in one State, under the laws thereof." Now, unless these laws are for slavery, the "service or labor" cannot be slavery;—and if they are for slavery, then they cannot hold any person to slavery, unless they are valid laws. But they are not valid laws, unless they are in harmony with the Constitution. If the Constitution is against slavery, then pro-slavery laws are but nominal laws. It will be more timely, at the close of my argument than now, to say, whether the Constitution is against, or for, slavery. In the next place, the clause speaks of a *person*. But, as we shall more fully see, there are rights claimed for *persons* by the Constitution itself, which must all be trodden under foot, before *persons* can be reduced to slavery. Another reason, why the fugitives referred to in this clause are not slaves, is, that "service or labor" is "due" to their employer from these fugitives. But slaves, by every American definition of slaves, are as incapable of owing, as are horses, or even horse-blocks. So too, by every English definition of slaves. Says Justice Best, in case of *Forbes* vs. *Cochran*: "A slave is incapable of compact." And another reason, why this clause cannot refer to slaves, is, that the fugitives in it are held by the laws to labor. But slaves, no more than oxen, are held by the laws to labor. The laws no more interpose to compel labor in the one case than in the other. And still another reason, why this clause is not to be taken as referring to slaves, is the absurdity of supposing, that our fathers consented to treat as slaves whatever persons, white or black, high or low, virtuous or vicious, any future laws of any State might declare to be slaves. Shall we of the North be bound to acquiesce in the slavery of our children, who may emigrate to the South, provided the laws of the South shall declare Northern emigrants to be slaves? Nay, more, shall we be bound to replunge those children into slavery, if they escape from it? But all this we shall be bound to do, if the pro-slavery interpretation of the clause in question is the true interpretation. Ay, and in that case, we shall be bound to justify even our own slavery, should we be caught at the South, and legislated into slavery. This intimation, that slavery may yet take a much wider range in supplying itself with victims, is, by no means, extravagant and unauthorized. The Supreme Court of the United States opened a wide door to this end, in the case of *Strader and others* against *Gorham*, some three years ago. In that case, the court claimed, that a State "has an undoubted right to 'determine the *status*, or domestic and social condition, of the persons domiciled within its territory." By the way, this doctrine of the Supreme Court, that there are no natural rights; and that all rights stand but in the concessions and uncertainties of human legislation, is a legitimate outgrowth of slavery. For slavery is a war upon nature, and is the devourer of the rights of nature; and claims, that all rights, and all interests, natural and conventional, shall accommodate themselves to its demands.

We need spend no more time on the letter of this clause. We will, now, look at its history. It is a well-nigh universal impression, that this clause is one of the compromises of the Constitution. But there is not the slightest foundation in truth for this impression. In none of the numerous plans of a Constitution, submitted to its framers, was the subject-matter of this clause mentioned. Indeed, it was not mentioned at all, until twenty days before the close of the Convention. This clause, when its insertion was first moved, contained the word "slave." But, with that word in it, it met with such strenuous opposition, as to compel the immediate withdrawal of the motion. The next day, however, it was offered again, but with the word "slave" struck out. In this amended and harmless form, it was adopted immediately, without debate, and unanimously. I add, by the way, that no one believes, that a clause providing, in express terms, for the surrender of the whole American soil to the chasing down and enslaving of men, women, and children, could ever have gained the vote of the Convention; or that, if it had, the Constitution, with such a disgusting blot upon it, could ever have been adopted.

Another reason for not claiming this clause to be pro-slavery is, that the American people did, in all probability, regard the word "service" as expressing the condition of freemen. So, as we have seen, the members of the Constitutional Convention, regarded it: and, inasmuch as they came together from all parts of the country, and represented all classes and sections of the American people, is it not a fair inference, that they used language in the sense approved by the American people?

We have, now, examined those parts of the Constitution, which are relied on to give it a pro-slavery character; and we find, that they are not entitled to give it this character. We proceed to glance at some, and at only some, of those parts of the Constitution, which clearly prove its anti-slavery character; which are utterly incompatible with slavery; and which, therefore, demand its abolition.

1st. "*Congress has power to provide for the common defence and general welfare of the United States.*"

But Congress has not this power, if the obstacles of slavery may be put in the way of its exercise. A man cannot be said to have law for driving his carriage through the streets, if another man has law for blocking its wheels. If the States may establish the most atrocious wrongs within their borders, and thus create an atmosphere, in which the Federal Government cannot "live and move and have its being;" then, within those borders, the Federal Government may be reduced to a nullity. The power referred to in this clause Congress will never have faithfully exercised, so long as it leaves millions of foes in the bosom of our country. By enrolling the slaves in the militia, and yielding to their Constitutional right "to keep and bear arms"—which is, in effect, to abolish slavery—Congress would convert those foes into friends. The power in question, Patrick Henry, who was then the orator of America, held to be sufficient for abolishing slavery. In the Virginia Convention, which passed upon the Federal Constitution, Mr. Henry said: "May Congress not 'say, that every black man must fight? Did we 'not see a little of this, the last war? We were 'not so hard pushed as to make emancipation 'general. But acts of Assembly passed, that 'every slave, who would go to the army, should 'be free. Another thing will contribute to bring 'this event about. Slavery is detested. We feel 'its fatal effects. We deplore it with all the pity 'of humanity. Let all these considerations, at 'some future period, press with full force on the 'minds of Congress. They will read that paper, (the Constitution,) and see if they have 'power of manumission. And have they not, 'sir? Have they not power to provide for the 'general defence and welfare? May they not 'think, that they call for the abolition of slavery? 'May they not pronounce all slaves free?—and 'will they not be warranted by that power? 'There is no ambiguous implication or logical 'deduction. *The paper speaks to the point. They 'have the power in clear and unequivocal terms; 'and will clearly and certainly exercise it.*"

2d. "*Congress has power to impose a capitation tax.*"

Manifestly, Congress can pay no respect in this case to the distinction of bond and free. It can look for the payment of the tax to none other than the subjects of the tax. But if any of them do not own themselves, they cannot owe the tax. This clause implies, therefore, the self-ownership of men, and not their ownership by others.

3d. "*Congress shall have power to establish a uniform rule of naturalization.*"

But this power, if faithfully exercised, is fatal to slavery. For, if our three millions and a half of slaves are not already citizens, Congress can, under this power, make them such, at any time. It can confer on them, as easily as on foreigners, the rights of citizenship. I add, that, had the slaveholders wished, (as however they did not,) to perpetuate slavery, they would, if they could, have qualified this absolute and unlimited power of naturalization, which the Constitution confers on Congress.

4th. "*The Congress shall have power to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.*"

This clause clearly authorizes Congress to encourage and reward the genius, as well of him, who is called a slave, as of any other person. One person, as much as another, is entitled to a copy-right of his book and to a patent for his meritorious invention. Not so, however, if there may be slavery. For the victim of slavery has no rights; and the productions of his mind, no less than the productions of his hands, belong to his master.

5th. "*Congress shall have power to declare war, grant letters of marque and reprisal—to raise and support armies—to provide and maintain a navy.*"

It necessarily follows, from the unconditional power of Congress to carry on war, that it can contract with whom it pleases—white or black, employer or employed—to fight its battles; and can secure to each his wages, pension, or prize money. But utterly inconsistent with this absolute power of Congress is the claim of the slaveholder to the time, the earnings, the will, the all, of the sailor, or soldier, whom he calls his slave.

6th. "*The United States shall guaranty to every State in this Union a republican form of government.*"

It is a common opinion, that the General Government should not concern itself with the internal policy and arrangements of a State. But this opinion is not justified by the Constitution. The case may occur, where the neglect thus to concern itself would involve its own ruin, as well as the greatest wrong and distress to the people of a State. How could the General Government be maintained, if in one State suffrage were universal, and in another conditioned on the possession of land, and in another on the possession of money, and in another on the possession of slaves, and in another on the possession of literary or scientific attainments, and in another on the possession of a prescribed religious creed, and if in others it were conditioned on still other possessions and attainments? How little resemblance and sympathy there would be, in that case, between the Congressional representatives of the different States! How great would be the discord in our National Councils! How speedy the ruin to our National and subordinate interests! In such circumstances, the General Government would be clearly bound to insist on an essential uniformity in the State Governments. But what would be due from the General Government then, is emphatically due from it now. Our nation is already brought into great peril by the slavocratic element in its councils; and in not a few of the States, the white, as well as the black, masses are crushed by that political element. Surely the nation is entitled to liberation from this peril; and, surely, these masses have a perfectly Constitutional, as well as most urgent, claim on the nation for deliverance from the worst of despotisms, and for the enjoyment of a "republican form of government."

7th. "*No State shall pass any bill of attainder.*"

But what is so emphatic, and causeless, and merciless a bill of attainder, as that, which attaints a woman with all her posterity for no other reason than that there is African blood in her veins?

8th. "*The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.*"

Blackstone pronounces this writ "the most celebrated writ of England and the chief bulwark of the Constitution." One of his editors, Mr. Christian, says, that "it is this writ, which makes slavery impossible in England." Equally impossible, in theory, does it make slavery in America. And in both countries the impossibility springs from the fact, that the writ is entirely incompatible with the claim of property in man. In the presence of such a claim, if valid, this writ is impotent, for if property can be plead in the prisoner, (and possession is proof of ownership,) the writ is defeated.

Slavery cannot be legalized short of suspending the writ of habeas corpus, in the case of the slaves. But, inasmuch as the Constitution provides for no such suspension, there is no legal slavery in the nation.

I add, that the Federal Government should see to it, that, in every part of the nation, where there are slaves, if need be, in every county, or even town, there are Judges who will faithfully use this writ for their deliverance.

9th. "*No person shall be deprived of life, liberty, or property, without due process of law.*"

Let this provision have free course, and it puts an end to American slavery. It is claimed, however, that, inasmuch as the slave is held by law, (which, in point of fact, he is not,) and, therefore, "by due process of law," nothing can be gained for him from this provision. But, inasmuch, as this provision is an organic and fundamental law, it is not subject to any other law, but is paramount to every other law. Moreover, it is a great mistake to confound the laws, so called, by which persons are held in slavery, with "due process of law."

Justice Bronson says [Hill's Reports, IV, 146] of this part of the Constitution:

"*The meaning of the section then seems to be, that 'no member of the State shall be disfranchised, or 'deprived of any of his rights or privileges, unless 'the matter shall be adjudged against him, upon trial 'had, according to the course of the common law.*"

He adds:

"The words 'due process of law,' in this place 'cannot mean less than a prosecution or suit, 'instituted and conducted, according to the pre'scribed forms and solemnities for ascertaining 'guilt, or determining the title to property."

Lord Coke explains "due process of law" to be, "by indictment or presentment of good and 'lawful men, where such deeds be done in due 'manner, or by suit original of the common 'law."

The defenders of the Constitutionality of State slavery are driven to the position, that such specific denials of the definition and violation of rights, as I have just quoted from one of the amendments of the Constitution, are limitations upon the power of the Federal Government only. They say, that it is to be inferred, that the limitations are on Federal power, when the Constitution does not point out whether they are on Federal or State power. Whence, however, is this inference justified? From the fact, it is answered, that the Federal power is the subject-matter of the Constitution—is that, of which it treats—is that, which it constitutes. But the Constitution is a paper, not merely for establishing the Federal Government, and prescribing its character and limits. It is, also, a paper for determining the boundaries of State authority. And the latter purpose is no less important, or necessary, than the former. Happily, however, the original Constitution left nothing to inference in this matter. It does not need a more frequent recurrence of the word "Congress" in them, to make it entirely plain, that the eighth and ninth sections of the first article of the Constitution are devoted to an enumeration of the powers and disabilities of Congress. Nor is it less plain, that the tenth section of this article is taken up with the enumeration of the disabilities of the States. I have seen an old copy of the Constitution, printed in Virginia, in which "Powers of Congress" is at the head of the eighth section, and "Restrictions upon Congress" is at the head of the ninth section, and "Restrictions upon respective States" is at the head of the tenth section. The repetition of the word "State," in the tenth section, would have been as unnecessary as the repetition of the word "Congress" in the ninth section, had the denial of State powers been preceded by the enumeration of State powers, as is the denial of Federal powers by the enumeration of Federal powers.

So far, then, as these sections are concerned, it is not left to the looseness of inference to determine whether the Constitution is applicable to a State, or to the Nation. One of the sections contains limitations on the Federal Government. The next contains limitations on another Government—*another* Government, since the latter limitations are, to some extent, identical with the former, and would, of course, not be repeated, were but one Government in view. What, however, but a State Government, could this other Government be? And yet, to avoid all necessity of inference, the word "State" is repeated several times in connection with these latter limitations. And, now, we ask where in the original Constitution, either before or after the three sections, which we have referred to, is it left to be inferred, whether the powers granted are National or State powers? Nowhere is there such uncertainty.

We will now take up the amendments of the Constitution. It is in them, that we find those specific denials of the deprivation and violation of rights, which forbid slavery—such denials, for instance, as that "No person shall be deprived of 'life, or liberty, or property, without due process 'of law."

Twelve articles of amendment were proposed by the first Congress. The first three and the last two do, in terms, apply to the Federal Government, and to that only. In the case of most of the remaining seven, their application is a matter of inference. Whilst, however, it would be a gross violation of the laws of inference to say, that they apply to the Federal Government only, it would be in perfect accordance with these laws to say, that, inasmuch as a part of the amendments refer expressly to that Government only, the remainder refer to both the Federal and State Governments, or to State Governments only.

Because the first one of the adopted amendments refers expressly to the Federal Government, and to that only, there are, probably, many persons, who take it for granted, that the other amendments follow this lead of the first, and have the same reference as the first. They would not take this for granted, however, did they know, that this first of the adopted amendments was the third of the proposed amendments; and that it came to be numbered the first, only because the preceding two were rejected. It is entitled, therefore, to give no lead and no complexion to the amendments, which follow it. And this conclusion is not weakened, but strengthened, by the fact, that these two amendments both expressly referred to the Federal Government. I would here add, what may not be known to all, that the eleventh and twelfth of the adopted amendments were proposed by Congress after the other ten were adopted.

In addition to the reason we have given, why a part of the amendments of the Constitution refer either to the State Governments exclusively, or to both the Federal and State Governments, is that, which arises from the fact, that they are, in their nature and meaning, as applicable to a State Government, as to the Federal Government. To say, that such amendments, as the second, third, and fourth, were not intended to apply to the whole nation, and were intended to apply only to the little handful of persons under the exclusive jurisdiction of the Federal Government, is to say what cannot be defended. Again, if there be only a reasonable doubt, that the fifth amendment refers exclusively to the Federal Government, it should be construed, as referring to State Governments also; for human liberty is entitled to the benefit of every reasonable doubt; and this is a case in which human liberty is most emphatically concerned.

We have no right to go out of the Constitution for the purpose of learning whether the amendments in question are, or are not, limitations on State Governments. It is enough, that they are in their terms, nature, and meaning, as suitably, limitations on the Government of a State, as on the National Government. Being such limitations, we are bound to believe, that the people, when adopting these amendments by their Legislatures, interpreted them, as having the two-fold application, which we claim for them. Being such limitations, we must insist, whether

[SEE FOURTH PAGE.]

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[*] Mr. Lemmon was emigrating, some eighteen months ago, with his slaves, from Virginia to Texas. The vessel touched at New York; and a judicial decision in favor of the claim of the slaves to freedom was promptly obtained, on the ground, that the State of New York had abolished slavery. The State of Virginia is now intent on getting this decision reversed.

WASHINGTON, D. C.

For the National Era.

LEONARD WRAY.

A ROMANCE OF MODERN HISTORY.

By the author of "The Chronicles of the Bastile," "The Embassy," "The Yule Log," "Philip of Lutetia," &c.

CHAPTER II.

Corporal Trompette.

The individual whom Leonard had addressed by the title of Prince, pursued his way very deliberately till he reached a house situated in the *Rue Dauphine*, a street running in a direct line with the *Pont Neuf*. Raising the heavy bronze knocker, which was fashioned like the head of an eagle, he gave one loud rap. Presently the latch was pulled up, as if by the sudden jerk of a string, and a small door, cut in the centre of the large wooden gates, flew ajar. The Prince stooped and went in. A few paces inside, on his right hand, was the porter's lodge, and just within the door of the latter stood the porter himself, lighting a candle at the oil-lamp that flickered on his table. On perceiving who it was, he carried his hand to his head, after the fashion of a soldier saluting his superior officer, and tendered him the candle.

"Alone!" remarked the Prince in a low tone

The porter jerked his thumb over his left shoulder in the direction of a door that seemed to open into an inner apartment, and answered in a still lower tone, renewing the salute:

"The Sergeant-major's just gone to bed, Commandant."

The prince gave a slight inclination of the head, and receiving a key, which the porter handed him, went away. His back was scarcely turned, when a masculine voice, evidently addressed to the porter, exclaimed:

"Well, Corporal Trompette, *qui vive?*"

"The Commandant, that's all," said Trompette.

"He's always last, answered the other voice. "I don't half like that Commandant of yours. He never speaks to you like any other lodger. Depend on't, he's a good-for-nothing. I know my folks, I can tell you."

"You're an old grumbler," retorted the Corporal. "Put your head under the sheets, and leave me alone. I'm going to smoke a pipe and say my prayers."

So saying, the speaker closed the door of the inner room, shutting in the already stifled murmurs that issued from its occupant, and proceeded to make himself comfortable. First stirring up the embers in the stove that stood in the middle of the small apartment, he put on two fresh billets, and drawing up an old camp-stool as close to the fire as was convenient, took out of his pocket a small case containing a short pipe, curiously variegated by long use and tobacco oil, but in color nearly black. From another pocket he drew a flat, round box, containing tobacco, on the lid of which was a representation of the late Emperor Napoleon, standing in a group of soldiers assembled around a bivouac fire, and taking from the hand of one of them a potato, evidently just out of the hot ashes. It seemed to call up some painful association of ideas in the mind of the Corporal; for, as he looked at the painting, his countenance assumed a mournful expression. Presently, he opened the box, and began filling his pipe. He then lighted it, and leaning forward, with his elbows resting on his knees, resumed the contemplation of the picture.

Corporal Trompette was a man yet in the prime and vigor of a robust manhood, whose air and military carriage denoted, to the most superficial observer, what had been the occupation of a considerable portion of his life; of which, indeed, various reminiscences might be detected about the room. He stood nearly six feet high, was broad made and square set, and wore a pair of immense mustaches, which he had a habit of twisting now and then. His bushy hair, now somewhat grizzled, was arranged with military preciseness, and brushed back off his compact forehead, which, if it denoted no great development of intellect, indicated the possession of solid and substantial qualities of mind. It was easy to see, by his large, square jaw and prominent chin, that resolution and decision were the predominant traits in his character, whilst the good-natured expression of his clear blue eye bore equally dependable evidence in favor of his natural kindness of disposition. He had, it was clear, seen hard service; for one cheek was seamed from the temple to the angle of the jaw, and on one side of his forehead a deep indentation showed where the flesh had been ploughed up by a gun-shot. Taken altogether, he would have challenged observation, had he been met casually anywhere.

The apartment, though small, indicated the prevalence of cleanliness and order in the household arrangements. The whole of the furniture, solid, though plain, shone with a high polish, and it was evidently a point with the presiding mind, to make the most of everything, and of the space that was habitable. On a bracket, over against where he was now seated, and fixed in a recess near the window, stood a small plaster full-length figure of the Emperor Napoleon, in the attitude that has become historical. Corporal Trompette had been at great pains to paint it elaborately, and piqued himself upon having accomplished quite a work of art, in getting the precise tint of *Marengo* gray for the overcoat, and the exact shade of green for the small portion of the under one that was visible. Every fifteenth of August—the anniversary of the Emperor's birth—it formed the centre-piece at a banquet outside the barrier, got up by a few of his comrades and himself, and for which they clubbed about half a dollar a head. On these occasions, the Corporal always made a short speech, preparatory to toasting "the memory of the Emperor and the glory of the Empire," and to firing a mimic salute in honor thereof, from a Lilliputian battery of ten brass cannon, which he had himself cast, and each of which had a name and a history. Under the plaster statuette hung a sword, in its sheath; a military boot, with the spur on, but of which a portion, that which covered the knee, was wanting, the same having, apparently, been torn away; an old cartridge-box; a horse's front hoof, with a bullet firmly imbedded in it; and, lastly, the remnant of a tri-color flag, on a piece of its staff, still surmounted by the imperial eagle. These, with some other similar relics, and a few common engravings, representing familiar incidents in the history of the empire, which adorned the walls, were amongst the Corporal's household gods, and these he daily worshipped. In fact, when he informed the "Serjeant-major" that he was "going to say his prayers," he only meant that he was going to indulge, whilst smoking his evening pipe, in meditation over the events he had witnessed and had taken part in, and which were associated in his mind with a deep-seated feeling of veneration for the personage most prominently identified with them.

His pipe was nearly smoked out, and he still retained the same musing attitude. So deeply abstracted was he, indeed, he did not perceive that, for some minutes, he had been watched through the glass door of his lodge by an individual, who, seeing him so absorbed, at length gently lifted the latch and glided in. The slight noise he made, in advancing towards the Corporal, caused the latter to look up, then suddenly to start to his feet, evidently in perplexity, if not even, in some degree, of alarm.

"Chut! It is only I, Corporal," observed the intruder, taking off a work-cap, such as French masons wear, apparently to allow the Corporal to see his features. "You must let me out, if you please."

"Eh! a thousand bombs and thunderbolts!" exclaimed the astonished Corporal, hurriedly making the military salute. "You, Commandant, and in this disguise!"

"I have rather a fancy for this mason's costume," said the other, smiling; "and even for plaster on my face and hands, as you perceive."

"But, Commandant, we're not in Carnival-time; and then the hour is so late."

"Yes, it is rather late, I admit, Corporal; but some matters do not permit us to consider convenience of time. And as for my disguise, though as you say, we are not in Carnival-time, I have good reasons for assuming it, believe me."

"It isn't for me, Commandant, to inquire into what don't concern me, personally. Still, you know, the police are very vigilant, just now; and though I wouldn't be a spy on any man's actions, you will excuse me by observing that this is a very odd freak of yours, and I may get into a difficulty, in consequence."

"All I ask of you, Corporal, is to have seen and to know nothing. But, may I ask, what it was that so absorbed your attention, when I interrupted you?"

"Oh, nothing of much consequence, Commandant; only this old tobacco-box, you see, brought up old thoughts, and the memory of old scenes and old comrades, who have joined the muster-roll up above."

He handed the box to the Prince, who examined it with attention for a few moments, then handed it back to its owner, saying—

"Ah! The Emperor Napoleon. You have been a soldier. You knew him?"

"Knew him, Commandant! Why, it was I—I, Jean Trompette, here standing before you now—it was I, yes, I, that handed him that potato. We were bivouacing one night—it was during the campaign in Prussia—when the Little Corporal[*] suddenly came in amongst us, as we were cooking potatoes in the fire for supper. A pretty skirmish it made, too; but it was all over in a minute. He asked us all sorts of questions; about our rations particularly, and so on. At last, he came up to me, and pulled me by the mustache. 'Well, old mustache,' says he, 'how long have you served?' 'Ever since you were made First Consul, Sire,' said I.

"What! and only a soldier!"

"Sire, no fault of mine. I'm of the kind of wood your Majesty makes officers of."

"Indeed!" says he, giving me another pull of the mustache: "then, when I make officers of wood, I'll think of you."

Well, if all my comrades didn't laugh out, right in the little corporal's face, and I wished my tongue cut out."

"What have you there?" says he again, presently, pointing with the toe of his boot to the ashes.

"Only potatoes, Sire," says I.

"Give me one," says he, quite short.

So I stooped down and took out one of the best—it was so hot I burnt my fingers, but I held firm for all that—and handed it to him.

"Sire," says I, "it's the best cooked."

"And did the Emperor eat it?" inquired the Prince.

"And without salt, too, hot as it was," replied Trompette.

"But I knew what it was made the water come into his eyes, and we all had our laugh at the little corporal next day, when we heard that he couldn't swallow his soup because his mouth was sore. But, gunpowder and cannon, there wasn't one of us wouldn't have stormed the moon, if he had made that the order of the day. Ah, Commandant, it makes my heart bleed when I think of those old times."

"I am glad to find one who cherishes so warmly as you do, Corporal, the recollections of that bright era in the history of our country."

"Oh, I'm not the only one, Commandant, believe me. First, there are all my old comrades, who are of my mind, of course: though the ranks are getting thinner every day. Then, there's the army: why, the Emperor is their idol, as you must know, Commandant, for you have your command. And it isn't because the soldiers knew him; but, you see, we veterans of the old guard keep up the spirit of the empire amongst the young fry, and for them glory and the Emperor mean the same thing. Then, you see, in the country parts, the peasants are mostly all old soldiers, who swear by the empire and the little corporal, and talk to their children about him and the great things he did for France, so that the name of the Emperor is rooted in the hearts of the people."

"And then there are the relics," observed the other. "I see you have yours;" and as he spoke, he pointed to the objects we have alluded to.

"Ah, yes, Commandant. They are the only things I have to make me believe the past is not a dream, after all. No! not the only things, either. There's the Sergeant-major;" and the Corporal pointed to the inner room.

"A martinet, is she?" said the Prince.

"Well, she has a way of making herself obeyed, Commandant; but then, what woman hasn't? It's only the manner of it that makes the difference. I wouldn't mind her's, if she didn't always cast in my teeth that I didn't get the cross. Fact is, I've been less lucky than many of my comrades, though I have generally come in for wounds, when any were to be got."

"So it seems, Corporal. But you will remember it was those very marks on your face led me to address you first, and to my becoming your lodger."

"Oh, I don't complain of 'em, Commandant," hastily answered the soldier. "All the fortune of war, you know. But it's hard to have missed the cross, after running into the cannon's mouth for it."

"It is not too late yet, for you to get it, Corporal," remarked the other.

"Ah, bah!" ejaculated the Corporal; "it's almost an honor now to be without it. If it were merit, as it used to be, all well and good. But anybody that likes to cringe to those in power may get it now."

"If it were given to you, Corporal, it would be on account of services. How then?"

"Ah, Commandant, all that's mere smoke. Who cares about a poor devil of a corporal like me?"

"I do, my old friend; I do," said the Prince, "and for all who cherish the memory of the Emperor."

"No doubt, no doubt, Commandant; but what can you do?"

"Little, I know," replied the other, "at least at present; but the time may come when I may have it in my power to serve you, and others like you."

"Ah! when you get to be a General, or perhaps Marshal of France," responded the Corporal. "Well, you are young yet, and there's a chance for you. Besides, who knows but, amongst other changes, we may have war? Then will be the time for us soldiers to get on."

"I fear such a change would be the worst thing could happen for this country, as well as for others," said the Prince, gravely. "But let me say a word to you, Corporal. I have long sought the opportunity of confiding a secret to your keeping; for I know you are a man to be trusted. Can you trust the—the Sergeant-major?"

"She'd be shot before she betrayed anything that was confided to her or to me. Oh, for that, you needn't fear. I know her of old."

"Good! Then listen," resumed the Prince. "You are, of course, aware that the election for President of the Republic is shortly to take place, and that amongst the candidates is one who bears a name you have this evening spoken of in terms of veneration."

"The nephew of the Emperor, you mean, Commandant."

"I do! Have you anything to say for or against him?"

"I don't know him, Commandant; so, what can I say? I only know he has a good number of friends who rally round his name; but then, you see, people have not any confidence in his talent. Perhaps, however, that has to be found out yet."

The Prince smiled as he replied—

"Perhaps! I am, however, deeply interested in his success, and believe you might greatly promote it."

"I, Commandant!" ejaculated the astonished Corporal. "I! You are mistaken, or intend to amuse yourself at my expense. I am no politician, but only a poor corporal of the Old Guard, that knows nothing, except how to handle a sword or manage a horse. As for those two things, find my match, and I'll thank you."

"I am aware of the small value you set on yourself, Corporal," said the other, "but I also know that if you like to set about doing a thing, you can do it well. Tell me candidly, are you inclined to serve the nephew of your Emperor, out of regard for the memory of the great Napoleon."

"Commandant," observed the old soldier, after a brief pause, during which he gazed steadily in the face of the individual he was addressing. "I only know you as my lodger; as a man who has rendered me a service or two, and generously paid me for my lodgings and my trouble. Candidly, I never cared to inquire whether you gave me your real name or not. Your rank in the army was sufficient for me, and your love for my Emperor. But what you have just said to me excites my suspicion. I won't say you are a police spy. That would be an insult to the cross you wear. But I'm not sure you're not a conspirator, and that you don't want to draw me into some political plot. Now I tell you, once for all, I'm a plain, blunt soldier, and no politician, and I won't have anything to do with politics."

This was said with a considerable degree of warmth, and was followed by a brief pause, during which the two speakers regarded each other fixedly. The old soldier's face had blushed, and the deep scar on his cheek had changed in color to a dark scarlet. The countenance of the Prince preserved a perfectly impassible expression. Presently, the latter said:

"Answer me a question or two, Corporal. When the Emperor bequeathed his great name and deeds to posterity, and his family to France, do you think he doubted that those who bore his name would ever fail of friends and adherents amongst the relics of his old army?"

"He wouldn't have been so unjust," answered the Corporal.

"Then do not you think, too, that the nephew has a right to expect from those who loved his uncle, who fought and bled under him for the glory and honor of France, a degree of obedience to the wishes of the great man who bequeathed them so noble a legacy?"

"And who denies it, Commandant, or wants to disobey?" asked the Corporal. "What I say is this: I'm no politician, and I won't be drawn into political intrigues by anybody. Ah, if Louis Napoleon himself were to urge his claims, I don't say anything against that. But you!"

"Then you would aid the Prince's candidature for the Presidency, Corporal, as far as it lay in your power to do so, if the Prince himself asked you?"

"I don't say he himself, but any one he trusted to ask us old soldiers to put our shoulders to the wheel for him wouldn't find us behindhand in doing our work. You see, his name is in our hearts, and in the heart of the nation; and though just now things don't look very bright, he has a better chance than folks generally believe. But I'm no politician. The Sergeant-major's the politician, and a red-hot Imperialist. You had better talk to her."

"Another time, Corporal. It is with you I have now to do. I understand you to say you do not object to aid the Prince from any dislike to him personally."

"I never said that, Commandant," hastily observed the Corporal.

"I have never clapped eyes on Prince Louis, but his name is enough for me; and if I vote, I vote for him, and nobody else."

"And your comrades?" asked the other.

"I don't know. You see we haven't any one to lead us. If we had only somebody to guide us, we should muster strong. But we haven't, and that's the misfortune."

"You want no one to lead you to the ballot-box," remarked the other.

"No! That's true! But then nine out of ten don't care to vote."

"This is precisely the danger that has been foreseen," said the Prince. "They want encouraging. What say you, Corporal? Will you be one of the leaders of this electoral movement? I am a duly authorized agent of the Prince's, and this is the secret I wished to impart to you. You shall not want for means, if money is required. Here, take this in earnest!" So saying, he held out a small roll of gold pieces.

"No, no, Commandant," said the Corporal, after a moment's hesitation, "I don't want to be bribed to serve the nephew of my Emperor. But you must excuse my caution in these difficult times. One doesn't know one's own neighbor now, and scarcely knows who to trust."

"If you consent to promote Prince Louis Napoleon's interests," resumed the individual in the mason's garb, "you will require to expend money. Take this, therefore, and be not so scrupulous. It is honest gold, and you will honestly earn it;" with this, he laid the *rouleau* on the table.

"Well, Commandant, as you press it on these grounds, and I should make up my mind to act, I will take it, to be used as I may be directed. But who am I to receive orders from, and what am I to do?"

"As long as I remain here, you will receive your instructions from me," responded the other; "but it is possible I may be frequently absent. In such case, you will obey the person who presents such a sign as this."

The speaker took out a small square box, containing a quantity of bees, made of gold, each stitched to a strip of violet-colored riband. One of these he gave to the Corporal.

"You assent?" asked the Prince.

"On condition," replied the Corporal.

"Name it!" was the brief rejoinder.

"Your name, and some sign that I am not being made the dupe of an intriguer," said the Corporal.

"Are not you satisfied with the name I have given you, and with the passport you have seen?" asked the other.

"Up to the time you had this conversation with me, I was," answered the Corporal, becoming more decided. "Now I am not. Therefore, no hesitation, or I will detain you, Monsieur, until I can send, conveniently, for the police agent. You have to do with an old mustache, who is not going to be out-manœuvred so easily."

The individual thus resolutely addressed, though quite unprepared for so sturdy an expression of will, betrayed no trepidation whatever. He merely deliberated a few moments, and then, having framed his resolution, said:

"Corporal Trompette, I had strong reasons for maintaining my incognito, but stronger ones for securing the assistance of such as you; I intended to confide my secret to you some day, but it is perhaps as well not to delay. Look at me; look at this mason's blouse, this cap, these pantaloons, all over plaster. In this very disguise Prince Louis Napoleon escaped from the prison in which a treacherous Government had incarcerated him. You see before you the prisoner of the Château of Ham."

"*Saperlotte! Vive Napoleon!*" shouted a voice issuing from the inner room, and the next moment the Prince found his hand seized in a grip like that of a vise, and saw at his feet a robust, sun-burnt female, somewhat scantily attired, and who, in the vigor of her demonstrations nearly threw him off his balance. The Corporal, meanwhile, astounded by this unexpected revelation, stood with his hand to his forehead, like a soldier stricken into a statue in the act of making the salute.

In a few minutes the excitement passed over, and Madame Trompette and her husband, the Corporal, both began to be reasonable.

"It took me like a bomb in the middle of the back," said the lady, addressing her remarks to no one in particular.

"Never fear, Prince, I'll keep my old Corporal to his duty; I'll get you votes. We'll have the Emperor's nephew for President, or we won't have nobody. *Vive Napoleon!* If it isn't like old times."

"My good Madame Trompette," said the Prince, "I am already under many obligations to you and to your husband. You must faithfully promise, however, not to betray my secret, and still consider me, when I pass in and out, as your lodger, Commandant Simon."

"Not such fools, we, as to let the enemy know our position," responded the dame. "Word of an old trooper, Prince, you may rely upon my discretion and on my old Corporal's."

"Pardon me, Prince," here interrupted Trompette, "if in my haste I"——

"Ah, bah!" exclaimed the Corporal's wife, "as if the Prince was going to turn rusty for such a piece of nonsense. You must be"——

"Enough, enough, my good friends," interposed the Prince. "We understand one another perfectly. In a day or two, you will hear of me again. But I must leave you now. Good night—or morning, rather. *Cordon*, if you please."

With this, the Prince saluted the Corporal and his wife, and went out, leaving the martial couple to talk over the incident that had so unexpectedly diversified the monotony of their every-day existence.

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[*] This was the familiar name by which the Emperor was called by his soldiers. They also gave the same name to the tobacco they commonly smoked.—Ed.

Ex-Governor Smith, of Virginia.—The Boston *Commonwealth* quotes as follows from this gentleman's recent speech:

"I believe in my soul Slavery is neither a moral, social, nor political evil. I believe that the white race is elevated by the institution, and that it is necessary to the negro to make use of him. I believe that it is God's institution. Has there ever been a prosperous nation without Slavery? If we get young men from the North before they are spoiled, we make men of them. This institution acts like a charm on the negroes; many of them are worthy of confidence and respect. We have black family servants who put to blush white servants. They are valueless the moment you knock the shackles off."

And the *Commonwealth* proceeds to say that "the man who believes all that 'in his soul,' must have a soul that"—— but the *Commonwealth* is apt at strong expressions.

For the National Era.

A SUMMER REVERIE.

A listless summer afternoon, and I
Am listless as the day. A fluttering breeze,
From the near sea-side, stirs the light-hung leaves
Of yonder orchard slope, but further on
Waketh no murmur, nor wakes here a sound.
I never saw clouds float more lazily
Than those whose snow hills break the western sky
With their piled tops, but whose gray bases melt
In its white glow away. The low green hills
That bound the landscape, dreamily repose,
Mist-veiled, and languidly the ripple curls
Through the green shadows that the meadow grass
Flings on the silent stream. The busy hum
Of insect hordes, rejoicing in the sun's
Most ardent beams, with slumberous murmur fills
The pause of other life, else all is hushed.
I have been dreaming hours away beside
The open window, drinking in the calm
That breathes o'er all the scene, but most of all
In this most glorious sky, whose glowing depths,
Pale with excess of light, oppress my heart
With all the unuttered longings that the soul
Hides in its dim recesses, oftentimes
Scarce to itself revealed. Yet over all,
Silently falling like the hushing snows,
There comes—what sense of heavenly sympathy!
Unfathomable, like the depths my eye
So vainly seeks to sound. Oh! if this earth,
This lovely, teeming, and exultant earth,
With all its busy life, may fitly paint
Eternal Wisdom and Almighty Power—
This arching blue, the All-Embracing Love,
Most gloriously mirrors. Like its own,
Might all my being be one silent prayer!

I have been musing long, for hark! a voice
That chides me for delay, and bounding feet,
Come hastening to my side. I must obey
Their gay behest; and thou, fair scene, farewell!

Una.

For the National Era.

A BROTHER'S RECOLLECTIONS OF AN ONLY SISTER.

BY MARY IRVING.

CHAP. XIII.

Eulalie was now twenty-five. Life's discipline had taken the first fresh bloom of girlhood from her cheek, but had replaced it by a charm girlhood never wears.

We were, amid our wanderings, summoned to D——, by a catastrophe which deeply concerned one whose welfare, despite her faults, had always been near my heart. The husband of Augusta Lemoyne was suddenly killed by a railway accident. On inquiry into his papers, the reputedly rich man was found—owing to the pressure of the times, to late heavy losses, and doubtless in part to his wife's extravagance—to have died insolvent.

Augusta had never loved him deeply; yet now that with him she lost all for which she had sacrificed her life's nobler energies, she sank at once. A sod in the field of graves at Embury now covers her prematurely-frosted head. Whose tears but a mother's keep it green?

"Come to church with me this evening," said Grace Atherton, breaking from the clasp of a rosy child who had followed her to the door of Eulalie's room. "I never suffer a slight obstacle to keep me from our Thursday evening lecture!"

We were soon seated in the airy church, whose drapings of purple were richly relieved by the last golden rays of a July sun.

"Ah!" suddenly whispered Grace, who had caught a glimpse behind the pulpit-hangings, "I can promise you a rare treat! It is not our good Dr. E——, but our city missionary!"

"And who and what is 'our city missionary?'"

"A genius, my friend—one who might pluck the fairest laurels of Church or State, if he would stoop to gather them. I wonder at his obstinate preference of the secluded, toilsome task he has chosen. Few know what the labors of a city missionary must be—fewer still, the good those labors accomplish"——

She had no time for more—the preacher arose in the pulpit. Where had I looked upon that face before? Meteors of memory came shifting and flashing before my bewildered eyes! Turning to my sister, I saw a face white as death, eyes riveted with a wild, unearthly gaze, on the face of the messenger of Heaven! *Then* I knew—Ernest Livingston!

His clear, faith-lighted eye glanced over the crowd, as he extended his hands to invoke the blessing of their Maker. Suddenly that eye, too, was fixed—a spasm crossed his high, pure forehead, but for a moment! The uplifted hands were clasped, and from the firm lips of the young clergyman burst the ejaculation—

"Oh, God! we thank Thee that we live!"

I heard few of the following words of prayer; I know not whether she who trembled at my side heard at all. The first tone, only, had thrilled her like an electric shock. A moment more, and a veiled statue could not have been more motionless!

Calmly, collectedly, as becomes one who stands between God and man, yet with that oratory of the heart which alone finds its way to the heart, the preacher delivered his faithful, unsparing message to that crowd of the luxurious and self-confident. As he closed, Eulalie laid her icy hand on mine, and motioned to the church door, unable to speak. Passing my arm around her, I forced a way through the crowd, regardless of Mrs. Atherton's whispered remonstrance—

"Stay, Eulalie! Mr. Livingston is certainly coming this way!"

"Not there—*not there* to meet him!" gasped Eulalie, as, sinking into my arms in the carriage, she sobbed away all control over her intensely-wrought feelings.

I carried her to a couch in her room, and silently awaited her return to herself.

A ring at the door-bell; it was Grace, who swept in with a gay laugh.

"Why, child, what made you run away from me? You might——But Eulalie! you are sick! What a pity! Mr. Livingston came with me in the carriage, and asked——But what *is* the matter? Mr. Lincoln—Eulalie!"

For Eulalie had sprung to her feet, white and trembling, and was nervously gathering up the dishevelled locks that hung about her wild face.

"Brother!" she suddenly exclaimed, with an appealing glance.

I took her in my arms, adjusted the comb over which her fingers had no power; and with a glance promising explanation to the amazed Mrs. Atherton, carried my sister to the threshold of the parlor.

That meeting was too sacred for even a brother's eye to witness! If angel eyes looked down, there was "joy in Heaven"—as on Earth!

The solution of this startling enigma was gained by degrees. Ernest Livingston, like many an *almost* victim of tropical fever, had been recalled from the very coffin. A mere accident, as the world styles the special ways of Providence, delivered him from the horrible fate of a living tomb. Weeks, however, went by, before he was able to lift his head from the pillow, which had been thought its last. Weeks more, and months even, elapsed, before he became fully sensible of the reaction which the seemingly fatal pestilence had excited in his once sinking frame. He had been awakened from death to a new life and vigor such as he had never hoped to regain. The crushing bands of the old disease were broken, and he stood again a man among men, to act, to hope, and to plan for a life of years.

Words had never bound the hearts that found each other in that Southern land. For what had one on whom the chains of consumption seemed riveted, to do with the happiness of an earthly home? So thought Ernest; and nobly though vainly had he struggled to hide from the young glowing spirit that mirrored his own, the truth, that she was all earth had too dear for him to love!

Now that life had given him back health and hope, he sought her; but in vain. He knew not even whether she were yet living; for Eulalie, shrinking from all that reminded her of the severest trial that had wrung her heart, and indignant at the selfishness of those who had shown themselves faint-hearted friends in the hour of trial, had never renewed her intercourse with Judge Livingston's family.

When letters addressed to the home we had left long before met no response, and months rolled slowly by, the young man nerved himself to the conviction, that life had no more dreams for him! He aroused himself to its battle—not on the "tented field," but where the strife with sin and ignorance, those monsters ever devastating our once fair world, calls for heroes who seek no earthly laurels. On this field of self-denial shone one sweet, mournful memory, guiding him to all high and holy aspirations!

The "lost found"—and *thus* found—what need to speak of the new tie that linked, before angels and men, the hearts which God had long since united? There was wondering among those who had worshipped the authoress as a "bright particular star," and who knew only by name the pastor whose ministry was among the poor and degraded.

"That Miss Lincoln should throw herself away!" exclaimed the world, and went its way wondering, until it should encounter some fresher marvel. But there was happiness in the humble home she had chosen, which that world never knew. Oh! why is the marriage of the heart so often bartered for the links of fancy and of gold?

I did not *lose* my sister, when I laid her hand in that of her nearer, dearer life-guide, at the marriage altar. The heart that truly loves, has room enough for all it loves. She was yet half our own. It seemed as though joy had stolen back her younger years from the stern grasp of Time; for never had she been so playful, so loving, so gentle, nor so beautiful. How I treasure every moment of that fullness of joy in life which I was permitted to share! All those gambollings with the children in the garden and wood; all those starlight talks with Mary; all those hours which her loving anxiety wiled from the frowning phantoms of business. Oh, no! I lost not my treasure; I can never lose it!

But it was in her home that I loved best to watch her, at the side of Ernest, among the depraved and the suffering, the homeless and the despairing. The same spirit that had impelled her, in her girlhood, to teach the ignorant and degraded, and in later years to brave the anger of bigotry for their sake—the same spirit that had breathed loving lyrics over the listening land, won for her now the hearts of the pauper and of the outcast.

"Are you perfectly happy, my sister?" I asked her one day, as I met her at the entrance of a dark, narrow lane, whose aspect was forbidding enough to have daunted even the strong-hearted.

"Happy, dear Ralph! I never knew what happiness was before! Do you remember the days when you were proud of me, and the world flattered me? I thank Providence for appointing me to a higher work. It is better to comfort and teach these neglected souls, than to sing sweet songs in the ears of partial friends!"

The "songs" died not on her lips, however. One, which floated from her pen in the midst of her labors of love, speaks the heart that found those labors a delight:

"THE POOR.

The poor—the poor!
Around the rich man's gate they stand,
Reminders of the mild command,
'As hath been given to thee,
Give thou ungrudgingly
To the poor!'

The poor—the poor!
God's messengers to those that mourn!
Oh! from the soul's o'erbrimming won,
In hours of deepest grief,
How sweet to pour relief
On the poor!

The poor—the poor!
They huddle in the slimy street,
With hungry hearts and bleeding feet,
Beneath the cold moon's eye,
And His who from on high
Guards the poor!

The poor—the poor!
Did He not love them when He came
To share the weight of human shame?
Shall we who tread His steps
Speak with unpitying lips
To the poor?

The poor—the poor!
God's gleaners of His bounty, bear
His high commission, wheresoe'er
Hearts hope his heaven to share!
Wo! for the slighted prayer
Of His poor!"

No wonder that one poor woman, who had been rescued by her words and deeds of encouragement from a living death, exclaimed—

"Oh, sir! she was too good to tread the earth!"

Even the gay and thoughtless cherish an inborn admiration for true religion, displayed in the lives of its followers, when adorned by those lesser gifts which charm worldly taste. Thus Ernest Livingston very soon gained a wide-spread influence in the city of his labors. He would not go to the rich; the rich came to his plainly-furnished chapel. Side by side, many a Sabbath, on the rough, uncushioned benches, sat the swarthy laborer and the blushing belle; velvet robes, sweeping fustian frocks, from whose contact they would scornfully have shrunk elsewhere. All this popularity might have flattered a less sternly-disciplined spirit. But he never forgot his mission. *To do good* was its watchword. Many were the bright eyes attracted to his audience by curiosity and admiration, that went away clouded, to weep in secret tears which shall gleam in the rainbow of Faith about the throne of the Eternal!

Shall I leave my history here—at the point where mortals place the climax of happiness and of hope? Ah! God has set that climax higher than we; and "He hath done all things well!"

I have a sister in Heaven now! Why should I call that lost, which the Unchangeable has taken to His keeping? Why mourn that the frosts of Sorrow and Care, which have thickly sprinkled my head, will never sow a single gray hair among the tresses I loved to stroke; that she went home in the fullness of her love and beauty, from the bliss of Earth to the brightness of Heaven? Hush, my heart! it was better so!

I will not recall the fierce waves that overwhelmed her! They only did their bidding; the angels could have done no more—no less! I will only think upon the smile of faith and love which she, standing on the storm-washed guards, was seen to lift to the calm, beloved face at her side, and then to Heaven. Ah! I can well believe the words of another hour to have been then upon her lips; "Thank God! it is best to die with the dearest!"

Yes! they sleep together, where I may not drop a tear! What matters it? When the "sea shall give up her dead," I shall know my sister's face!

Hark! the pattering of tiny feet on the staircase! A golden-curled fairy, younger than my own youngest darling, steals through the half-opened door. Years of memories roll back the tide of Time. I stand again in my mother's home; my sister, for the first time, springs to my desolated heart!

"Lulie! little Lulie! where are you?" breaks a merry voice from without upon my dream. The loving child lays her bunch of violets on my knee, lifts her face for a kiss, and bounds away to the call.

No; it was not my sister's forehead that my lips touched, though her glance and tone live again in her gentle child, the love-keepsake she left us when she went on that returnless journey! It is Ernest's brow of genius and purity; and I love to remember him thus!

"Him, the young and strong, who cherished
Noble longings for the strife!"

Will *my* life-work ever be so nobly done?

I breathe the fragrance of the violets; I turn to the open casement. Far away, between hills, comes up the sun-caught gleam of the rising tide. The orb of light sinks; its last rays fade from the sparkling foam. Shadows fall upon their ever-changing swells. Mournfully booms the dirge they repeat to the barren sands and the sunless sky—

"Eulalie!—lost, lost Eulalie!"

It was thine own requiem, that angels brought thee long ago, dear sympathizer in the woes of another!

"Lost—lost at sea!"

But the Evening Star—the star she loved—has awakened in Heaven! Slowly its sisters come out into the night. The breeze dies in the distance, whispering its life away among the young-leaved trees of spring. The billows hush to utter calmness.

A "still small voice" is in the silence of created things. With listening heart I sit, till I seem to hear the chimes of those bright worlds that roll on through God's illimitable space—those sinless, blessed "sons of the morning!" And their song is all comfort, all joy, all triumph!

"Eulalie!—blest Eulalie!"

New York, May 4.—The jury of inquest in the case of the recent fire in Broadway, by which so many lives were lost, in their verdict condemn and censure the masons, mechanics, and carpenters, who erected the building, and also the proprietors of the Broadway House, for having their buildings put up so badly. They recommend a change in the law regulating the building of houses, &c. The fire is pronounced to be the work of an incendiary.

LITERARY NOTICE.

Struggles for Life; or, the Autobiography of a Dissenting Minister. Philadelphia: Lindsay & Blakiston.

We have been favored by the publishers with the proof-slips of a volume entitled as above, which will soon be published. The autobiographies of some, even distinguished men, are not always interesting or agreeable. They either offend by their egotism, or weary with generalities which convey no life-like impression of character. What we want in an autobiography is a simple, an unvarnished narrative of one's life, inner and outer, without any attempt to play the hero; and, if the writer has the tact to record little events gracefully, to throw them in as delicate shades to the picture he is painting, all the better.

"The Autobiography of a Dissenting Minister" is precisely of this kind. It is simple and earnest, full of incidents, gracefully narrated, and always revealing the inner life of the man. Its realities are invested with more than romantic interest.

We have room for only a single extract from the volume; but it will serve to illustrate the vein and style of the writer. Having commenced the struggle of life with a helpmeet, he finds himself, after a stormy voyage from Glasgow, at St. George's Pier, Liverpool, a stranger, almost penniless, in search of employment. It is the evening.

"We crept towards the town, the streets of which were rushing with water, whilst, at the distance of every two or three yards, might be seen pieces of chimney-pots and tiles, which the wind had torn from the houses.

"But we were on *terra firma*, that was much!

"'The eye that watches o'er wild ocean's dead
Each in his coral cave,
Fondly as if the green turf wrapped his head,
Fast by his father's grave,'

had watched over us; and though we knew not where to go, or what should 'be on the morrow,' our hearts were cheered by that beautiful angel, Hope, which God sends to sing to his human children, as they travel across the storm-swept wilderness. Blessed and beautiful Hope! how she smiles at the storm, and sings a sweet lullaby in the ear of the sad; how she whispers her consolations in words of the richest poetry; how she lifts her gentle finger to the place where the Sun *is*, though His light be eclipsed by thick, intervening darkness; and how she lays one hand on a happy future, and the other on the heart of her eagerly-listening ward, saying 'I will bring you together yet!' Kind, generous, celestial Hope! blessed be God for Hope!

* * * * * * *

"I would fain draw a veil over four months of terrible anxiety, much mental conflict, many disappointments, and many fruitless schemes; but the goodness of that Providence which hath so remarkably held me up, cannot be omitted. I was four days in one place writing circulars for a person who was commencing business on the puffing principle, for which service I got ten shillings; and I spent a fortnight in another place, balancing the books of a tradesman, who was retiring to enjoy a green old age, which brought me the remuneration of two pounds ten shillings. We had lived, or rather existed, at the lowest point; but all would not do; we were behind-hand with the rent of our lodgings—not the same where the first night was spent—the good woman was clamorous—and we must pay, or leave! Against the propriety of this intimation we had, of course, nothing to advance. And—O, how it wrung my heart!—certain little presents, which had been handed to my wife at the time of our marriage, were given to the landlady instead of money. She was satisfied. We left, and went to strange lodgings, absolutely penniless; and *that very night*, my beloved wife was seized with the pains of childbirth!

"I shudder at the remembrance of that dark period, and hasten to pass it over; but I must record two significant facts, illustrative at once of the watchful care of God, and of the different dispositions of men. On the following day, my wife having given birth to a son—shall I add, 'and heir,' in imitation of the miserable vanity of certain newspaper announcements?—I saw an advertisement for a clerk. I obtained a scrap of paper from our landlady, a warm-hearted Irishwoman, whose thoughtful kindness I shall not forget, and applied for the situation, and then went direct to the minister whose chapel I attended. He gave me a letter to a clergyman residing some distance off. I went to his house, but he was absent. The servant asked whether I would wait. I said I should return in an hour, by which time she expected her master. The fact is, my heart was breaking, and I wished to be alone with God. I had noticed a field or common in the neighborhood, and resolved to go there. There was no 'closet' into which to enter, and no 'temple made with hands;' but I knew that the Refuge was there, and I thought of the words of Isaac Watts,

"'Amidst temptations sharp and long,
My soul to this dear refuge flies:
Hope is my anchor, firm and strong,
While tempests blow and billows rise.'

If ever I prayed it was in that open field; but my words were few. It was a sacred season, a holy hour. I returned to the house of the clergyman—a man of high intelligence, crowned with piety, and rendered attractive by genuine benevolence.

"'My brother speaks highly of you in his letter,' he said; 'and I wish it was in my power to introduce you to some suitable situation. I understand you preach occasionally?'

"'I have attempted to do so, sometimes, sir.'

"'That is well, if you have reason to think you have been called to that honorable service. Persevere. Christ trains His servants in various ways; and if He has chosen you for the ministry, He will open the door. Wait His time.'

"Thus speaking, he held out his hand, to bid me farewell, leaving a small parcel in my hand, which, on opening, I found to contain five sovereigns. I could scarcely thank him, because of the depth of my emotions. He saw this, and said, in tones of tenderness which he had learned at his Master's feet,

"'Never mind, brother; hasten home to your poor wife and child. She will be glad to see you God bless you!'

"I did hasten home—but not until I had revisited the common, and offered up thanks where I has presented petition—and my wife, now, if possible, doubly dear as a mother, *was* glad to see me, and happy, weak as she was, to point to the babe in her bosom.

"'Mother!' holy and gentle name! Blush, young man, blush, weep, and pray for pardon, if ever thou hast wronged thy *mother*. It was a sin of saddest kind! Little knowest thou about a mother's heart, its unfathomable love, its tender yearnings, its warm life-cells, its holy solicitudes. To thee it is a sacred mystery, and ever will remain. Cast no shadow over it, I beseech thee; cause it not to shrink and tremble; impose no painful weight upon it by thy folly, but make it glad by thy filial reverence and unostentatious piety!

"The other fact to which I have referred, was the result of my answer to the advertisement. A reply came in the course of two or three days, and I went, as intimated, to the office of —— Brothers, merchants. The duty required was that of making out invoices; wages, thirty shillings a week. I was immediately engaged. Sunshine once more being thrown on my path, I resolved to discharge my duty with earnestness and energy; but I had scarcely been an hour at the desk, when I discovered that the 'Brothers' were men of the most ungovernable temper. I heard them cursing and swearing fearfully, and saw the clerks looking alarmed when either of them went past. I was also told that they were perpetually changing their clerks, and that, in fact, no young man could live with them. I was extremely sorry for all this; nevertheless, as I knew I could perform my allotted task, I saw no reason for apprehension on my own account: nay, I went so far as to cherish the Utopian hope, that, in some way, I should be the means of checking the wicked habit of my employers. The week passed on, and every day, from ten till four, my ears rang with the bitter curses of those men, addressed to one or other of their clerks, or to the poor laborers and porters engaged on the premises. Saturday evening came; one of the partners, addressing me, said:

"'Be here at ten to-morrow morning.'

"'*To-morrow* morning, sir?' I asked, very respectfully, thinking he had forgotten the day.

"'Yes, d—— you! How dare you repeat the words after me?'

"'I beg your pardon, sir; I thought you meant Monday. To-morrow is Sunday.'

"'What of that? blockhead! fool! Are you a saint? There are some invoices to be done, and you must make them up, and then go to church, or wherever else you please; but come you must, d—— you!'

"Here was a trial. I suddenly remembered days when we had almost wanted bread. The picture of my wife and child rose before me. Here was a tolerably good situation, so far as wages were concerned. What was to be done? Done? I am ashamed that I hesitated for a moment, but it was only a moment. The 'Brother' was looking at me with fury in his face. I said:

"'Mr. ——, I will gladly serve you to the extent of my ability, and come earlier and remain later than usual, every day of the week, but I cannot attend your office on the Sabbath.'

"'D——! Here, cashier, pay this canting hypocrite for his week's work, or blundering more likely; we want no whining saints here. You are discharged, sir.'

"I went to my lowly lodgings, where my earthly treasures were, with thirty shillings in my possession and—an approving conscience. I placed the money in the hand of her I loved, and thanked God that I had been kept from complying with the voice of the tempter. Still there were not wanting whisperings in my bosom—whence came they, ye mental anatomists?—that evening, that I had acted unwisely; that I had decided rashly; and that there could not have been much harm in complying with my employer's request for once. It might have soothed him. Possibly he might not have asked me again. Probably it might be long before another situation occurred, and so forth. I replied to all these fine-sounding suggestions by saying, 'But the deed is done, and shall not be undone; and I will wait the consequences.' One thing troubled me; how should I mention it to my wife, especially after witnessing the pleasure with which she looked on me when I placed my week's earnings in her hand? I told her the whole history, and waited her reply. She looked up in my face, and said

"'My dear, you have done right.'

"It was enough; I was satisfied. The next day I went to my usual place of worship. The able pastor announced his text, Psalm xxxvii, 3, '*Trust in the Lord, and do good: so shalt thou dwell in the land, and verily thou shalt be fed.*'"

WASHINGTON, D. C.

THURSDAY, MAY 11, 1854.

THE NATIONAL ERA AND ITS READERS.

This week the very able and comprehensive speech of Gerrit Smith occupies nearly the whole of the outside of our paper. It will be read with great interest by his numerous admirers everywhere. In consequence of its filling the space usually allotted to literary matter, the second chapter of "Leonard Wray," and the last chapter of Mary Irving's sketches, are thrown upon our second page, excluding many editorial articles.

In this connection, we would remark that too much of the *Era*, for the last few months, has been given up to severe political discussions, especially of an editorial character—too much, we mean, for our pecuniary interest. We find, on reviewing the last sixteen numbers, that we have ourselves monopolized the inside pages, to the exclusion of lighter and, to the mass of readers, more agreeable matter than heavy political disquisitions. The outrageous attempt to force a repeal of the Missouri Compromise, and the unprepared state of the public mind, seemed to render necessary more than ordinary effort on our part, to defend the cause of Justice and Freedom. But we cannot shut our eyes to the fact that such effort has not enhanced the GENERAL interest of the paper, and that in this respect we have gone a warfare at our own expense.

Every man, while looking after the public good, is bound to take care of himself, else he may unexpectedly find himself in no position to be of service to anybody. Henceforth, we shall diversify the Weekly *Era*, devoting more space to our Literary miscellany, and *limiting the quantity of editorial matter*. We shall continue to write just as much as ever, simply because the times demand it, and we cannot help it; but those who feel any interest in reading *all* that we may have to say, must take the *Daily Era*.

People generally do not like to be reasoned with all the time. They have taste, imagination, and passions, which require to be quickened and gratified. In our zeal to defeat the Nebraska iniquity, we lost sight of this truth for a time, but there are many reasons just now concurring to revive our recollection of it.

We have found out that too much argument don't pay; that brains are not always a marketable commodity; that two or three good editorials in one number will be read with great interest, while six or eight longer and much better ones stand a chance of being voted a bore; that the popularity of a newspaper depends not upon strength alone, but upon a combination of many other attributes; nay, we knew all this, and practiced upon it, trying to unite in the *Era* the useful and the agreeable, the light and the weighty, fidelity to sound principle, with a reasonable reference to the general tastes of its readers; but since the country has been agitated by the new conspiracies of the Slave Power, we have given to its readers rather excessive doses of politics.

This week marks for us a new point of departure. While we shall give the politician his meat in due season and quantity, we shall not forget that the *Era* has a position, a reputation, an interest, to maintain, *in the Family*, the wives and children of which, if attached to a paper, will take good care that it shall not lose ground from inattention or neglect, *which cannot always be said of the politician.*

TO OUR SUBSCRIBERS IN PHILADELPHIA.

We take pleasure in announcing that we have made arrangements with Mr. Thomas McNeilan to deliver the *Era* to our subscribers in Philadelphia, and we flatter ourselves that by this arrangement they will hereafter receive their papers much more regularly than they have heretofore had them.

Those subscribers in arrears, or who have not paid for their paper in *advance*, are requested to make immediate payment to Mr. Thomas McNeilan, 826 Lombard street, or forward their subscriptions to this office.

No subscriber will hereafter receive the paper who has not paid for it in *advance*. We hope our friends in Philadelphia will see the importance of our adhering strictly to this rule.

The price of the paper is $2.50 per annum delivered free of postage, or $2 if sent by mail.

NOTICE TO OUR BOSTON SUBSCRIBERS.

Mr. G. W. Light is no longer our agent for Boston and vicinity; and persons are hereby warned against paying him any money on account of subscriptions to this paper. The paper will hereafter be sent by mail; and if any subscriber who has paid Mr. Light in advance, should fail to receive his paper, he will please notify us of the fact, and forward any receipt he may have to this office.

FACTS FOR THE PEOPLE.

The first volume of the *Facts for the People* terminated with the issue of the number for May. Under the impression that its publication rather tends to injure the Weekly, we discontinue it for the present.

CUBA—A PROPOSITION TO AUTHORIZE FILIBUSTERING—THE FUTURE.

The following resolution was introduced in the Senate yesterday, by Mr. Slidell, of Louisiana, and, after some discussion, adopted:

"*Resolved*, That the Committee on Foreign Relations be requested to inquire into the expediency of authorizing the President of the United States, during any future recess of Congress, to suspend by proclamation, either wholly or partially, the operation of the act 'in addition to an act "for the punishment of certain crimes against the United States," approved the 20th of April, 1818,' and also of the act supplementary thereto, approved 10th of March, 1838, should, in his opinion, the public interests require such total or partial suspension; such suspension not to exceed the period of twelve months; and the causes which shall have induced the President to proclaim it to be communicated to Congress immediately on its first meeting thereafter."

The acts referred to constitute our Neutrality Laws, and their object is to restrain citizens or aliens from availing themselves of the shelter of our flag for hostile expeditions against nations with which we are at peace. In other words, they are intended to enforce the obligations of International Law, the faith of Treaties, and the plain requirements of good neighborhood. To suspend these acts, would be to license freebooting, filibustering; to make this country an asylum for aggressors upon the rights of all nations; to render it on a large scale what Algiers once was on a small scale. To suspend them in relation specially to Spain would be to authorize hostile expeditions from our shores against Cuba, and to place the country in a state of *quasi* war against the Spanish possessions. The proposition then is, to authorize the President, at his own discretion, in the recess of Congress, to license bucaneering against Cuba, and, in violation of a solemn treaty of amity, to involve us in a war with Spain.

This monstrous proposition has been made in the Senate of the United States, a body priding itself upon its conservatism, and, after a carefully prepared speech by a member in its support, referred to the Committee on Foreign Relations, with instructions to inquire into its expediency.

What extraordinary outrage on the part of Spain has led to this procedure? Has she been plotting against our Peace, seeking to limit our empire, warring against our commerce? Nothing of the kind. Has she refused atonement in the case of the Black Warrior, and returned a defiant and an insulting answer to Mr. Soulé? Nobody dreams of such a thing—all reports concur in the representation that she either has made, or will make, prompt and ample reparation in that matter.

To none of these things does Mr. Slidell, who moved the proposition, allude. He prefers no accusation against Spain, of having violated a single treaty obligation, of having deliberately outraged any of our rights, of having refused atonement for aggressions upon us, committed by her colonial officials. No—the only ground relied upon in justification of his monstrous proposition is, *that the Spanish Government has at last adopted the policy of Emancipation, and is determined to enforce it, until a system of Free Labor shall be completely substituted for Slave Labor in Cuba.*

This is the whole burden of his speech. Examining the correspondence between Spain and England, and England and the United States, he inferred that the English Government had been steadily using its influence to induce her ally to adopt the policy of Emancipation—that one of her motives to this was an indisposition to see Cuba in the possession of the United States—that on this point France sympathized with her, so that the declaration by Lord Clarendon, that the concurrence of policy on the part of those two Governments was not confined to the Eastern hemisphere, but embraced all parts of the world, amounted to an avowal that they were both united in the determination to resist any attempt by this country to acquire Cuba.

He then proceeded to examine the plan of emancipation which the Captain General, an Emancipationist, had begun to carry out; and meantime, he said, England was winking at the introduction of slaves from Africa, because she knew that, under treaty stipulations, she could claim their emancipation. He goes on to denounce the Emancipation policy, and insists that it is the duty of the United States to arrest it. This is to be done, by authorizing the President to suspend our Neutrality Laws, so as to allow American citizens to aid the Creoles in throwing off the Spanish yoke. The time, he thinks, peculiarly auspicious, as England and France have their hands full just now; and in this connection he administers a rebuke to the People for their hostility to Russia, when in fact our true interests should incline us rather to wish success to her arms!

That the reader may see that we have done no injustice to this slaveholding Senator, we transfer to our columns the closing portion of his speech, as printed in the columns of the Washington *Union*, which is at a loss for words to express its admiration:

"This is probably the question in this hemisphere on which Lord Clarendon says that the policy of France and England, however antagonistic heretofore, is now in entire harmony. He cannot allude to any other subject than Cuba. For several years, the two countries acted in concert in their difficulties with the Argentine Confederacy, until their final adjustment; and I am not aware of any part of this hemisphere, with the exception of the United States, where any occasion for concerted action has existed, or can exist; and as on the surface, at least, there appears elsewhere no disturbing elements, it would puzzle the most ingenious head to imagine where, on this side of the Atlantic, these loving allies are to display their harmonious policy, except towards us in Cuba. It is now, fortunately, not improbable, that they will find themselves sufficiently occupied nearer home.

"And here it may not be inappropriate to say how much it is to be regretted that in the Russo-Turkish quarrel the attention of the country has not been more directed to the question in its aspects as affecting our own political interests. As between the rude and vigorous barbarism of the Cossack and the effete nationality of the Moslem, I find no room for active sympathy, scarcely even for an abstract preference. The gratuitous and unwarranted declarations of our Minister, Mr. Spence, in his presentation to the Porte, call for something more decided than a reprimand. If made in the terms stated in the newspapers, with every appearance of authenticity, there is but one fitting remedy—his immediate and unqualified recall. Should the contest, as many believe it will, (I am not of the number,) be speedily decided in favor of the western allies of the Porte, Louis Napoleon having and continuing to wield despotic power, we may not only abandon all hope of any early reaction in favor of liberal principles in Europe, but may look to a probable collision, for which we are by no means prepared.

"It is true that we have just made one short step in the right direction; we have appropriated three millions for a half dozen steam frigates, and have had the good sense to give a large discretion as to the mode of construction to the able Secretary of the Navy, which I feel confident will produce, instead of the miserable abortions under the old system, ships not unworthy of our great naval reputation. But England has now fifty or sixty war steamers afloat, and France as many more—ready, so soon as their services may be dispensed with in the Baltic and Black seas, to illustrate, on our shores, the happy accord which Lord Clarendon travelled out of the record so offensively to state, existed between the two Powers, in both hemispheres. We have, fortunately, been forewarned; it will be our own fault if we be not forearmed. This menace should, at least, have one salutary effect—that of checking the disposition to scatter, with so much profusion, the public treasure on every side, on objects of more than questionable justice or utility. We seem to be in constant dread of financial plethora, and anxious to deplete in every way, excepting in preparations for defence.

"With these, as I think, conclusive evidences of the intentions of Great Britain and France—intentions which, if realized, will soon, after scenes of blood and horror, from which every one not blinded by fanaticism must instinctively recoil, convert this fair island into a second Hayti—what course have we to pursue? Shall we remain passive spectators, until the fatal blow has been struck, or shall we at once put ourselves in an attitude to repel and avert it? I counsel neither negotiation nor remonstrance on this subject; we have the remedy in our own hands; it is that indicated in the resolution which I have submitted. Arm the President with the simple power to unfetter the limbs of our People, and the Government will have no occasion to put forth the energies of the nation; individual enterprise and liberality will at once furnish the men and the material that will enable the native population of Cuba to shake off the yoke of their trans-Atlantic tyrants.

"I desire no movement on the part of our citizens until the Cubans shall have put their own shoulders to the wheel. They have been reproached for their pusillanimity; but let it be once understood that if, by their own efforts to vindicate their rights, they show themselves worthy of our sympathies, the arm of the Federal Government will not be interposed on behalf of their oppressors. In less than six months, the flag of Freedom, the lone star, would wave over the whole island—the Moro may, perhaps, hold out somewhat longer. One thing is certain—that in despite of all your statutes, your collectors, your marshals, your army and navy, if the revolutionary standard be once hoisted in Cuba, and maintained for a few short weeks, no Administration can prevent our citizens rushing to the rescue in such numbers as will secure its triumph—a Democratic President would not desire to do it. I deprecate as much as any one can, such a contingency. There is but one mode to avert it. Intrust the power to suspend the neutrality laws to the President. He will not exercise it lightly; and, in all probability, the knowledge of his power will dispense with the necessity of exercising it at all. France and England will retract their mischievous counsels, and orders will be given to the Captain general to retrace his steps.

"We have already had some experience of the emptiness of these menaces of interposition; they tended rather to precipitate than to retard the acquisition of Texas, and will, if persisted in, produce the same effect now. I repeat, I would deprecate any movement not invited by the uprising of the people of Cuba; but if they be driven to it by the conviction that they are doomed by their jailors to the horrors of a servile war, then, I say, hands off; the people will not, cannot, be prevented from giving them aid more substantial than their prayers. They will not permit a black empire under a British protectorate, the key of the Gulf of Mexico, nominally independent, but, for every purpose of annoyance and aggression, a British dependency, to be established in sight of our own shores.

"Cuba is studded with the safest and most capacious ports, from whence an enemy may menace, if not command, the immense and constantly-increasing commerce which must pass through the narrow strait that separates it from Florida. We have respectfully announced to the world that we will not permit it to fall into the possession of any other European Power than Spain. This declaration has met with the hearty, unanimous response of the nation, and yet its cession to either France or England would be less dangerous to the South than the existence of a pretended independent black empire or republic. I say nothing of the value of the island in a financial point of view; its inexhaustible fertility; its annual exports, now amounting to nearly thirty millions, and which would soon be doubled under a good government, were any confidence reposed in its stability. At this time, agricultural property is not worth more than three or four years' purchase, estimated on the basis of present income. A plantation yielding a net revenue of $25,000 can be bought for less than $100,000.

"I think it unnecessary to make more than a passing allusion to a matter of recent occurrence, and which has been the subject of a communication from the President to the House of Representatives—I mean the seizure of the United States mail steamer Black Warrior at Havana, and confiscation of her cargo. This is but one, the most outrageous, indeed, of a long series of insults and vexations by which it has been attempted to exclude our steamers from Cuba. They serve to complete the proof I have adduced of an understanding, probably an alliance, consummated by treaty between Spain, France, and England. The Cuban authorities would never have dared to take so offensive a step, if they had not relied on the support of those Powers. I have no doubt that the policy indicated by the President will be energetically pursued, and that full pecuniary reparation to the owners of the Black Warrior, and apology for the insult to our flag, will ultimately be obtained.

"But I regret that we are to look for this at Madrid. I should have preferred to see it exacted in a more summary way, by the blockade of Havana and the other principal ports of the island. It is high time that we should have a remedy for these insults more immediately at hand, and that the Captain General should be compelled to use his power, which is only restricted by his ultimate responsibility at Madrid, as well for redress as for aggression. I have been satisfied, for the last three months, that the power of suspending the neutrality laws should be conferred on the President; I now think that it should be done at once. Perhaps it may be proper to go further than I have proposed, and to make it discretionary, to use it even during the session of Congress, but I have been restrained by the belief that the President will only have to announce to the Representatives of the People and of the States that the contingency has arrived, and call for immediate action, and his appeal will be promptly responded to. The issue must be met eventually, and we cannot choose a more proper moment for its solution."

We thank Mr. Slidell for his boldness. The disguise is now thrown off. The deceptive phrase, "the Africanization of Cuba," is dropped, and the terrible evil, against which the American People are to be arrayed, Creole insurrection is to be invoked, filibustering let loose, and our Government put in an attitude of war, is, THE SUBSTITUTION OF FREE LABOR FOR SLAVE LABOR IN CUBA! To prevent this horrible catastrophe, a Russian alliance is to be courted, hatred of France and England is to be inflamed, and, if need be, war against them both is to be hazarded. Away with remonstrance, with negotiation, with all schemes of purchase. "We have the remedy in our own hands." "Arm the President with the simple power to unfetter the limbs of our people," to "cry havoc and let slip the dogs of war." Of course, we will be quiet till the Cubans themselves shall strike, but, knowing that the President has such a power, and for what reason he was invested with it, the hour of doom will hasten. Then to the battle-field, and "d—d be he who first cries, hold! enough!"

This is the spirit of Mr. Slidell's counsel: this is the spirit that now fires the Slave Power. It sees the prize on which it has so long kept its eye and fixed its heart, almost eluding its grasp, and would make a desperate effort to clutch it. It is the one idea of its newspaper organs. The Richmond *Enquirer* says:

"An important despatch in the *Enquirer* of yesterday *indicates the approach of a social convulsion in Cuba.* That the Creole population of the island are discontented with the Spanish dominion, and desire annexation to this country, has long been known, despite the efforts of the authorities to suppress any manifestation of public sentiment. The repulse of the Lopez expedition would seem to discredit this opinion; but the desperate circumstances under which that foray was undertaken, were such that every rational person foresaw its failure from the beginning. *Let an attempt be made, with but an even chance of success, to overthrow the Spanish dominion in Cuba, and the mass of the population will rally to the flag of revolt."*—

And our citizens will spring to the rescue: this is the essential part of the programme. Blind to all obstacles, the *Enquirer* anticipates victory before the close of the present Administration:

"Men differ only as to the time which will elapse before the transfer of the island from Spanish tyranny to American freedom. In our judgment, the event is not distant. We are persuaded that, as the purchase of Louisiana was the glory of the Administration of Mr. Jefferson, so the acquisition of Cuba will be the crowning achievement of the Administration of President Pierce. Not that any injustice or violence will be perpetrated against Spain, but that the Administration, availing themselves of a propitious moment, will, by a wise diplomacy, secure a prize, which every American so earnestly desires."

O, no! Injustice and violence! Not for the world. We love Spain—we respect ourselves—we reverence justice. All we mean is, to show our deep devotion to Freedom, by stimulating the Creoles to insurrection, and then sending a few thousands of our "panting chivalry" to help them throw off the Spanish yoke—and rivet eternal Slavery on the half million of blacks in the island! That is all—nothing but a wise and beneficent exercise of our rightful supremacy!

What say the People of the Frre States to these things? It is evident that the slaveholders, without their aid, cannot carry into execution this diabolical scheme. Who are they? A handfull of tyrants. What could these three hundred thousand men do, without shipping, without naval power, with three millions of slaves to take care of at home—what could they do, if left to themselves, towards seizing Cuba, and confronting the power of Spain, France, and England?

They rely *upon the Federal Government*, and upon the command this gives them of the wealth and sinews of twenty millions of freemen. All their schemes of fraud, violence, and conquest, contemplate the Federal Government, with its command of the treasury, the army and navy of the United States, as their instrument and agent. We, the good people of the United States, are to be pressed into a buccaneering project to prevent the emancipation of slaves in Cuba, and bring that island into our Union to add to the already overgrown empire of Slavery. How do we like the honorable service?

We have not yet comprehended all the bearings of this grand scheme. Slaveholders, *as a class*, contemplate the contingency of Disunion. Influential writers among them argue that a fundamental contrariety of character, institutions, and interests, between the Northern and Southern sections, is gradually tending to this catastrophe. They would prepare for it, by making what use they can of the existing Union to extend and consolidate their empire.

They would annex Cuba, not only to prevent the emancipation of its slaves, and add to the political power of the slave States in the Senate, but because its possession, in the event of a dissolution of the Union, would enable them to become a *naval power*, would give them the command of the coasting and Gulf trade, and the control of our present routes to the free States and Territories on the Pacific, and secure them facilities for intercourse and influence with Central America and Brazil.

They have been exerting themselves through the Treaty-making power to enlarge Southern territory, and to secure a Southern route for a railway from Charleston, (the seat of nullification,) to the lower part of California, which is sought to be converted into slave soil. To carry this scheme into effect, they propose to take ten millions from the Public Treasury.

They have fixed their eye upon the rich valley of the Amazon, obtaining explorations of it, setting forth its peculiar fitness for slave-labor, and seeking through negotiation to establish intimate relations with the Brazilian Government. As to the commerce of the valley of the Amazon, that, just now, is nothing unless a trade be carried on in alligators and boa constrictors; but what they want is, a foothold in a valley, in which immense gains are to be reaped from the employment of slave labor in the production of cotton, coffee, and sugar.

The slave-trade has been effectually suppressed in Brazil—the People are indolent—there is no prejudice of caste or color in relation to the slaves—the tendencies are to a mitigation and final eradication of the system. A little infusion of the Anglo-American energy invested in Slaveholding, might avert these tendencies, and bring Brazil into line with the Slave Empire of this country.

While the Slave Interest is thus strengthening itself on every side, and preparing itself for the contingency of a Dissolution of the Union, what are the free People of the country doing to enlarge their borders, and to provide against such a catastrophe? Nothing at all.

The Administration they have installed in power does the bidding of Slavery. What about the rights of our Northern fishermen? What of reciprocal trade with Canada? What of efforts to pave the way for the ultimate annexation of those provinces to this country? Not a word. The People of the Free States, bound hand and foot by the Whig and Democratic party organizations, do nothing but ratify nominations made for them, platforms built for them, Administrations constructed for them, policies dictated to them, by the Slave Interest, the master of both organizations. How easy it were for them to thrust aside their old leaders, to trample under foot party thraldom, to put away old issues, and to crush the bold, wicked scheme we have brought to light, by taking possession of the Federal Government, in the name of Freedom, and using its powers for the protection of Freedom! Let them do this, and the burden of Disunion will rest upon Slaveholders. Let them do as they have been doing, and the stupendous power of Slavery will throw the burden of Disunion on them. Its language will be—We are in possession of the Government—Cuba is ours—we command the seacoast, the Gulf, the ways to California—we have a route for a railway to the Pacific—we now have shipping and a naval power—and are on the best possible terms with Brazil, and all of South America that is worth anything. We are quite satisfied, as we happen to be supreme. If you do not like it, gentlemen of the North, you can shift for yourselves—there is the door, you can leave.

Do the People of the North and West intend to be caught in such "a fix?"

THE NEBRASKA BILL TAKEN UP.

The presses at the North that have been singing lullaby over the Nebraska Bill, have been apprized, ere this, of their delusion. To-day, the House went into Committee of the Whole on the state of the Union, laid aside, in succession, some score of bills on the calendar, and took up the Nebraska-Kansas bill, to which Mr. Richardson moved a substitute, viz: the Senate Bill, with Clayton's anti-alien clause omitted. Mr. Hibbard then got the floor, and addressed the Committee in support of the Bill. The friends of the measure had an apparent majority, on the preliminary motions, of about twenty. What may be their strength on the naked Bill, it is not worth while to predict. Sufficient to the day is the evil thereof.

Monday, May 8th.

"SQUATTER SOVEREIGNTY" AND POLYGAMY.

An act of 1850 entitles each actual settler in Oregon, if a single man, to 320 acres of land, if married, to 640. In the Committee of the Whole on the state of the Union, yesterday, the bill to establish the office of Surveyor General in Utah, and grant donations of land to actual settlers, as in the case of Oregon, was taken up, and debated with considerable warmth. As reported by the Territorial Committee, it contains the following proviso:

"*And provided, further*, That the benefits of this act shall not extend to any person who shall now, or at any time hereafter, be the husband of more than one wife."

Mr. Bernhisel, delegate from Utah, moved to strike out this proviso. In the course of the debate, he said, that there was no legal enactment of the Territory which authorized polygamy; it was the *ecclesiastical law* which established it. He added, that should the proviso be retained, it would operate injuriously to a considerable number of the inhabitants, and suggested that the more wives a man had, the more lands he needs to support them. Mr. Disney explained, that while there was no legal enactment expressly authorizing polygamy, the statutes of Utah recognised its existence, by declaring that "wives and children shall be heirs at law," &c.

In other words, the ecclesiastical law of Utah, held by the inhabitants to be above all human law, authorizes Polygamy, and their statute laws protect it. If we mistake not, the power to revise the statutes of the Territory is expressly reserved to Congress by the Utah Territorial Bill. It is the business of the Territorial Committees of both Houses of Congress to see that this power is exercised. Had they done their duty, these polygamous statutes would have been exposed ere this to the public eye, and brought before Congress, with a recommendation that they be annulled. Why has not this been done? Why has the detestable practice of Polygamy been permitted to grow up in United States Territory, under the eye of the Federal Government, and to surround itself with the sanctions of Law, when in the States of this Union bigamy is treated and punished as a felony? Because of the absurd doctrine broached by General Cass, that the inhabitants of a Territory, no matter how few they may be, and how vast the Territory of which they occupy but a few square miles, have the right to regulate their own affairs, determine their own institutions, in other words, to fix the institutions and laws of a country large enough to be formed into many States.

"Squatter Sovereignty," the nest in which Slavery was to be warmed into life, is the nest in which this vile system of Polygamy has been hatched. The vicious and absurd principle intended to favor the extension of Slavery, has afforded a shelter to a practice, which, by the laws of the States, is deemed a crime, as it will afford shelter to whatever abominations the heart of man can conceive. In virtue of it, infanticide and sutteeism may spring up and flourish in our Western Territories, whenever there shall be enough immigrants from Asia to constitute Territorial Governments—and this Federal Government must look on in silence, its wings outspread over all things hateful and devilish.

Behold the fruits of "Squatter Sovereignty," of your beautiful doctrine of Non-Intervention! No wonder that members who have been accustomed to advocate this doctrine, because it favored Slavery, are unwilling to abide by it when attempted to be enforced for the protection of "sins they have no mind to."

THE WARD TRIAL—POPULAR EXCITEMENT.

The facts concerning the murder of Mr. Butler, of Louisville, by Matthew F. Ward, and the trial and acquittal of the latter, have already appeared in our paper. Mr. Butler, a schoolmaster, corrected a pupil, brother of Ward, and charged him with telling a falsehood. Ward bought two self-cocking pistols, ordered them to be loaded, put percussion caps on both, thrust them into the breast pocket of his coat, went home, told his mother he was going to the school-room of Butler, to demand an apology of him. By her advice, Butler being a larger man than himself, he took with him his brother Robert, who bore a large bowie knife, which he was in the habit of carrying. He entered the school-room, demanded an apology from Butler, and began to interrogate him. Butler said he would not be interrogated, putting his pencil in his pocket, and buttoning up his coat. Ward demanded an apology, which being promptly refused, he called Butler a "d——d scoundrel and coward." "Robert Ward stated that on being called a 'd——d scoundrel and coward,' Butler 'struck Matt. twice, and pushed him back against the door.' He is the only one of all the witnesses who swears to any such thing. One or two of the boys state that Butler put his hands out towards Ward; and one says that he *pushed* him. All agree that Matt. drew his pistol, placed it against Butler's breast, and fired. Butler exclaimed—'My poor wife and child'—and fell. There was, of course, a rush of the terrified boys, and Robert Ward drew his bowie knife, which he brandished, ordering them all to stand off. The Wards left the room; Butler was carried home, and died that night."

The People were incensed; Ward was put on trial for his life. But, every influence was brought to bear to secure an acquittal. The Wards belonged to the order of "first families"—were popular—and had numerous influential friends. The trial was removed to a distant county—the ablest lawyers were employed—JOHN J. CRITTENDEN volunteered his services for the defence. The result was, *he was acquitted.* An act that would have hung him in Massachusetts, is justified in Kentucky. An act that, committed by a poor devil, without friends, would have been pronounced murder, even in Kentucky, is in Ward's case, justifiable homicide! So far as we can see, under the administration of the law in Kentucky, no man with wealth and friends can be a murderer, and no poor man has any protection for life and limb except in his own courage.

The Telegraph reports that the citizens of Louisville are deeply excited at the result of the trial. The house of Nathaniel Wolfe, one of Ward's counsel, was literally daubed all over with eggs, and a public meeting was called on the 29th ult., to express indignation against him. Resolutions were passed, calling upon J. J. Crittenden to resign his seat in the Senate of the United States, and requesting the Wards to leave the State. A great crowd proceeded to their dwelling, and burnt effigies of Matthew and Robert Ward in front of their door. Throughout the country the verdict of the jury has excited great surprise.

Under such circumstances, what must be the feelings of the two brothers—the blood of an unoffending man upon their souls—public indignation tracking their steps, and the voice of God ringing in their ears, "Whoso sheddeth man's blood, by man shall his blood be shed?"

GREAT STORM AT THE NORTH.—A severe storm of rain prevailed at Boston, on Wednesday and Thursday. The lower portion of the country, in the vicinity of Boston, is submerged. We hear, as yet, of no damage of importance.

A portion of the dam at Carson's Falls, Maine, was carried away by the freshet.

Extract of a Letter, dated ——, Georgia, April 21, 1854.

"May God speed and prosper your labors. I am highly pleased with your paper. I am a slaveholder, Northern-born and educated, Southern by nineteen years' residence. I've liberated one slave, and expect to liberate and send to Liberia all I now own."

He sends the subscription price of another copy of the *Era*, to be used in getting new subscribers, and adds:

"Uncle Tom's Cabin sells openly here, in the bookstores, and is generally read.

"'Tis said lately in the papers that Mrs. Stowe declines appropriating the money collected in England, to the promotion of the objects there specified. How is it?"

The inquiry was answered satisfactorily a few days since, by an article which we copied from the Pittsburgh *Gazette*. Mrs. Stowe is appropriating the money there collected, for the benefit of the Colored People, using her best judgment in the matter, as she is bound in honor to do.

FROM MEXICO.

We have advices from Vera Cruz to the 22d ultimo. There is another official despatch, stating that on the 13th ultimo an action was fought between the forces under the command respectively of Alvarez and Santa Anna, in the Coquilla mountains. After a desperate resistance, the complete overthrow of Alvarez was accomplished, and he retired towards Acapulco. The Revolutionists were in possession of a strong position, defended by cannon, notwithstanding which, it was carried at the point of the bayonet, *without any spilling of blood!*

How very Mexican is all this rigmarole.

CONGRESS.

THIRTY-THIRD CONGRESS—FIRST SESSION.

We insert in full the remarks of Mr. Chase, made on Monday, respecting Emancipation in Cuba:

MR. CHASE. I have no objection to taking the question on postponement, without further debate. I hope the resolution will be postponed, but prefer that the postponement be for a week, rather than till to-morrow.

The resolution does not contemplate any immediate action, but merely proposes to confer a power on the President of the United States, to be exercised during the recess of Congress. Of course there is no necessity for immediate reference.

As the opinion of the honorable Senator from Louisiana [Mr. Slidell] has been expressed upon the great question of our relations to Cuba, and also that of the honorable Senator from Florida, [Mr. Mallory,] these opinions of course must go out to the country, and may perhaps be taken as indicating the judgment of the Senate, unless some opportunity be afforded to those who entertain different opinions to state their views.

For myself, I do not hesitate to say that so far as any proper measures taken by the Spanish Government, either at Madrid or in Havana, whether under the influence of England or France, or from independent convictions of duty and policy, may tend to the emancipation of slaves in Cuba, these measures will command my sympathy and my best wishes for their happy and beneficial issue to all parties.

But, sir, I am far from thinking that the disposition towards emancipation in Cuba is confined to the Spanish Government in either hemisphere, or to the Governments of England and France. Certain facts, which have come to my knowledge, incline me to the opinion that the idea of emancipation is seriously and favorably entertained by many enlightened Spaniards and Creoles, in the Island and out of the Island, and by at least some of the gentlemen who constitute what is familiarly known as the Cuban Junta. To that idea and that purpose, by whomever sustained, I am decidedly favorable.

On the other hand, to all that part of the policy of the English and Spanish Governments, if there be such policy, which tends to revive the African slave trade, under any name or in any form—whether for the purpose of supplying apprentices to the island, to be converted at some future period, either near or remote, into freemen, or for any other purpose—I take the same objections, and take them as strongly, as the Senator from Louisiana.

I do not wish to go into this subject now. I wish, however, to have an opportunity of submitting my views of it to the Senate and to the country; and therefore suggest the postponement of the resolution for a week.

Senate, Tuesday, May 2, 1854.

Mr. Badger submitted a resolution directing an inquiry as to the expediency of authorizing the President to cause an exploration to be made of the coal fields near Deep River, in North Carolina, with a view to the establishment of a national armory. Adopted.

The Senate then resumed the consideration of the Indian Appropriation bill, and an amendment making appropriation for the California Indians was much discussed.

House of Representatives, May 2, 1854.

The Speaker announced the business first before the House to be the bill yesterday reported by the Committee of the Whole, making appropriations for continuing the construction of roads in the Territory of Minnesota.

Mr. Richardson, by consent, arose and stated that this week it was understood that business for the organized Territories would be chiefly attended to; but it was his intention early next week to bring before the House for consideration the Kansas-Nebraska bill. He made this statement, that gentlemen might be advised of the purpose of the friends of the bill. They desired no surprise.

Mr. Cox, professing to be a friend of the bill, wished clearly to understand the purpose. Was it to be taken up for discussion in Committee of the Whole?

Mr. Richardson replied in the affirmative. He wished to have the bill itself before the House for discussion. To do this, and to discuss the bill fairly, and in a parliamentary manner, would be the object of its friends; but if defeated in this, they would probably find a way to get a vote on it in the House.

The bill for the purchase of the lands of the Indians in Minnesota, and for their incorporation into the community of that State, described in the *Era* yesterday as being approved in Committee of the Whole, was also taken up and passed.

On motion of Mr. Richardson, the House then resolved itself into Committee of the Whole on the state of the Union, and proceeded to the consideration of a bill to amend an act entitled "An act to settle and adjust the expenses of the people of Oregon from attacks and hostilities of Cayuse Indians, in the years 1847 and 1848," approved August 21, 1852.

Senate, Wednesday, May 3, 1854.

Mr. Pettit reported adversely upon the proposition (Mr. Sumner's) to have the statutes of the United States revised and corrected.

The Senate then resumed the consideration of the Indian Appropriation bill.

After some time debating an amendment, the bill was temporarily laid aside, and a message was received from the President of the United States, returning the bill for the relief of the indigent insane, with his objections thereto.

House of Representatives, May 3, 1854.

On motion of Mr. Lane, the House resolved itself into Committee of the Whole on the state of the Union, and resumed the consideration of a bill to establish the office of surveyor general of New Mexico, to grant donations to actual settlers therein, and for other purposes.

Mr. Gerrit Smith arose and said he would not vote for a bill containing the word *white* as restrictive of the benefits it is designed to confer. He respected the rights of MEN, and would deprive no man of his natural rights.

Mr. Smith spoke at some length, and we shall hereafter publish a full report of his remarks.

Mr. Howe would oppose the bill, because in its terms it excludes Mexicans incorporated into our Republic from the benefits designed.

Mr. Disney disclaimed any such intention, and incidentally said that this is a Government of *white* people.

Mr. Wade was not aware our Government had any color. He thought it was a human Government, and therefore designed especially for the weak. The strong do not need protection; and he referred to the fact that gentlemen on this floor represent men of color who are slaves. He said the Constitution did not contain the word colored, and that its authority for slavery, if it had any, was without any reference to color.

Mr. Washburn, of Maine, also opposed the bill, on the ground that it violated the Constitution of the United States, in withholding from citizens of certain States their rights in certain other States, &c.

Mr. Keitt replied, and stated that the North was not satisfied with seducing away the slave property of the South, but demanded the public land on which to place them as citizens. He also alluded in a spirit of ridicule to the marriage of whites and blacks in Ohio.

Mr. Giddings replied, and thought it remarkable that the Democrats of the United States should be endeavoring to proscribe and humiliate the descendants of Thomas Jefferson and of Martha Washington, now well known in different communities in this country, though deeply tinged with African blood.

Mr. Campbell addressed to Mr. Keitt a question to the effect that if the marriage of whites and blacks is forbidden in South Carolina, upon what principle of morality could he explain the existence of the large number of mulattoes found there, as in all other Southern States. [Much laughter.]

A voice. He's got you there, Keitt!

Mr. Keitt subsequently said the member from Ohio [Mr. Campbell] had asked him a question, which——

The Chair decided that Mr. Keitt must speak strictly to the amendment.

The bill was finally ordered to be reported to the House, and the Committee took up the bill to amend the act approved September 27, 1852, to create the office of surveyor general of the public lands in Oregon, &c., and also the act amendatory thereof, approved February 19, 1853.

Senate, Thursday, May 4, 1854.

House bill granting the right of way to the St. Louis and Iron Mountain railroad, through certain public grounds at St. Louis, was taken up, amended, and passed.

The consideration of the veto message was resumed, and the motion to print ten thousand additional copies of the message was agreed to.

Mr. Gwin moved that the further consideration of the bill be postponed till Monday week.

This motion was debated at length. Messrs. Shields, Dawson, and Walker, advocated the postponement of the bill till after action on the Homestead.

Messrs. Bayard, Clayton, Weller, Brodhead, Dodge of Iowa, Chase, Pratt, Seward, and Hunter, advocated action at the present time, or a postponement not longer than Monday.

Messrs. Dodge of Iowa, and Pettit warmly supported the veto.

Mr. Weller stated, that in a full Senate there would be 31 votes against the bill, and therefore it could not pass.

After a discussion continuing till 2 o'clock, the subject was postponed till Monday next—yeas 29, nays 19.

Mr. Gwin moved to take up the Pacific Railroad bill. Lost—yeas 20, nays 23.

The Senate then resumed the consideration of the Indian Appropriation bill.

House of Representatives, May 4, 1854.

On motion of Mr. Lane, the House, at fifteen minutes past twelve, went into Committee of the Whole, and resumed the consideration of the bill to amend the act approved September 27, 1850, to create the office of surveyor general of the public lands in Oregon, &c., and also the act amendatory thereof, approved February 19, 1853.

After a brief time, this bill was ordered to be reported to the House, and the Committee entered upon the consideration of the bill to establish the office of surveyor general of Utah, to grant donations to actual settlers therein, and for other purposes, reported by Mr. Latham, from the Committee on Public Lands.

Mr. Bernhisel moved to strike out a proviso excluding any man having more than one wife from the benefits of the bill.

Mr. Haven was opposed to the proviso. He would not recognise the existence of a plurality of wives.

Mr. Letcher. Leave it out. The proviso was not applied to the three thousand dollar officers.

Mr. Davis, of Rhode Island, said the word *white* was retained, in order to exclude others than whites from these privileges. Why exclude polygamists? It is no worse. The Mormon laws recognise some relation of husband and wife. They do not recognise nor permit promiscuous concubinage. The contrast favors the Mormons.

Mr. Smith, of Virginia. I am not surprised that men who have probably never been in a slave State should not know what the condition of things there is. The gentleman from Rhode Island seems to believe that indiscriminate intercourse exists among the negroes of the South. I can tell him that the negroes of the South observe the marriage obligation as sacredly as it is observed in the great State of Rhode Island.

Mr. Cobb defended the restriction. He would not encourage immorality.

Mr. Letcher. Why not apply it to the salaried officers.

Mr. Cobb. My vote will explain that. Will the gentleman from Utah state whether this restriction, if adopted, will injure any considerable number of the citizens of Utah?

Mr. Bernhisel. It would. The more wives a man has, the more lands he needs for them.

Mr. Giddings. Gentlemen denounce all interference in the domestic affairs of the Territories. I do not understand their changes of position at every command of a drill sergeant. I like consistency. I am in favor of this proposition, as an independent one; but in its relation it presents a singular aspect.

He would deal with Nebraska and Utah alike; he would not license concubinage, and restrict any species of marriage. Marriage is at least legal in Utah. Woman is not degraded in the eyes of that people. Their children are legitimate, and they are *taught*. The Mormon does not sell his wife or his child. God forbid. The gentleman from Virgisia [Mr. Smith] says the negro in the South is entitled to marriage rites. Sir, three millions of people in this Republic are denied it. Among them concubinage is unrestricted by any legal regulation. Woman is entirely in the power of her master. Any regulation must be superior to this state of things.

Mr. Phillips would not reply to the language of Mr. Giddings. Respect for himself and for the House would forbid it. He opposed the restriction, as tending to centralization. Congress had no power to control the morals of the people.

Mr. Gerrit Smith was gratified when any law existed to protect the marriage institution; and if the gentleman from Virginia [Mr. Smith] could convince him that the marriage of slaves is a legal thing in the slave States, he would waive his objections to Slavery.

Mr. Jones, of Tennessee, could tell the gentleman that recently he had known of a case where a slave-owner in Maryland refused to sell three or four negroes, unless the priest who had married them could go with them.

Mr. Smith. And I can point the gentleman to a trial in Maryland, on record, in which a slave was acquitted of the charge of bigamy, because, as it was ruled, a slave was incompetent to enter into the marriage covenant. To the benevolence and justice of slave-owners, and not to the laws of slave States, is to be ascribed all the praise that is due to whatever regard is paid to the sacredness of the marriage tie among slaves.

Mr. Disney had carefully examined the laws of Utah, and was satisfied that polygamy had a legal existence in Utah. He was not present in the committee when this proviso was inserted.

Mr. Millson was astonished to hear the gentleman so declare. He had never heard that any laws authorising such an institution had ever been approved by the Committee on Territories, and believed that that committee would not approve of such a law.

Mr. Disney said the people of Utah had not enacted a law positively legalising polygamy, but that it was recognised in many of their enactments.

Mr. Campbell, alluding to the remarks of Mr. Phillips, contended that centralization was the natural tendency of the conduct of the present Administration in its dictation to Congress, and of Congress itself in permitting Executive dictation.

Mr. Stephens, of Georgia, quoted the Constitution to prove that Congress had no right to institute a religious test.

Mr. Simmons made some remarks, which are here unavoidably omitted.

Mr. Millson would strike out the proviso, because marriage with more than one wife *cannot* legally exist, and he would not recognise its existence by any declaration.

Mr. Parker would retain the proviso. He would embrace all opportunities to condemn polygamy. We had already discriminated. An unmarried man is allowed a quarter of a section, while a married man is allowed half a section. He would give to the man having more than one wife, none.

Mr. Benson argued in favor of condemning the laws or usages of Utah permitting polygamy. He thought Congress was now about to approve or disapprove of them. His choice was made.

Senate, Friday, May 5, 1854.

Mr. Hunter moved to suspend the rules, for the purpose of taking up the Indian appropriation bill.

Mr. Chase objecting,

The Chair decided the motion to be out of order, and that no business was in order except private bills to which no objection was made.

The first bill was for the relief of the legal representatives of John G. Mackall, one of the Maryland tobacco cases. Upon its passage, no quorum voted.

Mr. Stuart moved that the Senate adjourn. Lost—yeas 13, nays 26.

The bill was then passed—yeas 22, nays 16.

Many private bills were passed.

A large number of other bills were postponed; and the Senate adjourned till Monday.

House of Representatives, May 5, 1854.

At half past 12 o'clock, the House resolved itself into Committee of the Whole on the state of the Union, Mr. Phelps in the chair, and resumed the consideration of the bill to establish the office of Surveyor General of Utah, to grant lands to actual settlers in that Territory, and for other purposes.

Mr. Bishop Perkins thought the poor man should not be proscribed for having two wives, when the high officer receives his $3,000, he having thirty or forty wives.

Mr. Boyce questioned the right of Congress to interfere with the religious institutions of a people, and argued the constitutional power in the premises.

Mr. Campbell said Mr. Boyce admitted the constitutional power of Congress to donate the public lands. He thought if it had that power, it had the power to annex conditions to the gift. Congress, in the proviso under consideration, aimed at instituting a wholesome proviso Suppose the immolation of the first-born of each mother among that people were decreed by the laws of these people, and they were to ask here for a grant of land, would the gentleman from South Carolina accede to their request?

Mr. Boyce would answer by asking another question: Has Congress the power to exclude persons from the privileges of a general act, because of their being Presbyterians?

Mr. Campbell. If they are Presbyterians declaring polygamy right, it has.

Mr. Walbridge moved to extend the proviso to all persons receiving grants of land. The Mormons might go elsewhere. He would speak only to the moral question. There was no tyranny. The Mormons could dispense with all their wives but one, or the lands. There would be an alternative. He would not give lands to men guilty of practices that would send any member of this House to the penitentiary.

Mr. Keitt thought, if polygamy could be excluded by the condemnation of Congress, so could other crimes.

Mr. Walbridge replied, that he had begun by saying he would waive all constitutional argument.

Mr. Phillips read an amendment he designed offering at another time, to the effect that persons guilty of murder, robbery, piracy, or arson, should also be excluded. Polygamy was to be proscribed because it was a crime. Why not proscribe other crimes?

Mr. Boyce opposed all legislation on the subject. He compared the position of the Mormons to that of the people of the Colonies in the Revolution. They were to be condemned without formal accusation or jury trial.

Mr. Letcher would say to Mr. Phillips, that if the Mormon laws did not punish the crimes he had named, but, on the contrary, sanctioned them, he would stipulate that persons guilty of these offences should not be encouraged by the bounty of this Government.

Mr. Richardson and other gentlemen here endeavored to arrest the debate upon this bill, on the ground that it was important that other bills should be taken up.

Mr. Lane, of Oregon, moved that this bill be laid aside.

Mr. Taylor and Mr. Campbell, of Ohio, regarded the bill as of great importance, and the latter would be among the most active to extend the time another week for the consideration of the business of the organized Territories.

Mr. Lane, of Oregon, earnestly pressed the termination of the debate on this bill, that other Territorial bills might be taken up; but he was fearful that the time could not be extended.

Mr. Kerr apprehended that Minnesota and other railroad bills would be urged by the Committee on Territories.

[The Committee declined to disclaim the purpose of introducing such bills.]

Mr. Lane appealed to them, and besought them to permit the strictly local affairs of Oregon to be disposed of.

[No reply from the committee.]

Mr. Lane withdrew his motion.

Mr. Bishop Perkins moved that the committee rise and report the bill to the House, with a recommendation that it do not pass; which motion was adopted—ayes 84, noes not counted.

The Committee then took up the bill to extend the right of pre-emption upon the unsurveyed lands in Minnesota, and for other purposes; which, with other Territorial bills, was laid aside to be reported to the House.

House of Representatives, May 6, 1854.

Mr. Stevens, of Michigan, from the Committee on Public Lands, asked leave to report a bill to aid the Territory of Minnesota in constructing a railroad from a point between the 9th and 17th ranges of the southern line of the Territory to St. Paul, and thence toward Lake Superior.

A long debate followed, on a point of order in relation to the question of entertaining the bill.

Mr. Stevens declared he was incapable of taking the House by surprise. He performed his duty as a member of the committee in presenting it. He believed, moreover, that his constituents and the whole Union would be benefited by its passage.

Mr. Stevens also defended this bill from the charge of being identical with one recently rejected. The latter was partially in several States—this only in Minnesota. He concluded by demanding the previous question.

Mr. Lane, of Oregon, moved that the House go into Committee of the Whole on the state of the Union.

Mr. Meacham moved that the House adjourn.

The motion to adjourn was defeated, but renewed, and so the House finally adjourned at 20 minutes past one o'clock.

Senate, Monday, May 8, 1854.

Mr. Douglas said that he had received, with a request to present to the Senate, a memorial, signed by 504 clergymen of the Northwestern States, remonstrating against the passage of the Nebraska bill. The memorial is accompanied by a letter from one of the signers, certifying that the memorial is a true copy of the memorial adopted by the meeting of the twenty-five clergymen of Chicago. The memorial does not represent the memorialists as remonstrating against the bill in the name of Almighty God, as was represented in the letter written by Mr. Douglas, in reply to that memorial.

This discrepancy, Mr. D. explained, was attributable to the fact, that he received a newspaper slip containing the memorial and proceedings of that meeting of the clergymen of Chicago, and also two newspapers, the *Daily Tribune* and *Democratic Press*—Chicago papers—containing the memorial in exactly the same words in which it was set forth in his letter.

He heard nothing else of it until after his letter appeared, and then he was charged by the clergy with having falsified the language of their memorial. He had written to Chicago to obtain some explanation as to how the mistake was there made, and was informed that the proceedings and memorial, as published in the anti-Nebraska organ, were furnished by the Secretary of the meeting to that paper, which furnished slips of the same to the other papers. That afterwards, when public opinion had condemned the use of such blasphemous language, the chairman of the meeting caused the memorial to be republished in the *Tribune*, with those words omitted; and now, with characteristic fairness, they accuse him of falsifying their language, and attempt to prove it by quoting the corrected or amended memorial in that paper.

He quoted from resolutions adopted by the meeting of the Chicago clergymen, to show that the resolutions were dictated in the same spirit, and were couched in language similar to that now alleged not to have been contained in the memorial.

He also read numerous extracts from a sermon preached in the Presbyterian Church, by the Rev. Dr. Richardson, on the 4th of March last, on the Nebraska bill, and commented upon the same in strong denunciatory language, of the spirit, tone, and terms, used in said sermon.

The memorial was laid on the table.

Mr. Gwin moved that the Senate take up the bill granting land for the relief of the Indigent Insane, lately vetoed by the President.

Mr. Walker hoped the Homestead bill would be taken up.

The motion was agreed to—yeas 23, nays 13.

Motions were made to postpone it till Tuesday next, Tuesday week, and Monday next; all of which motions were rejected. The bill was then postponed until Wednesday next.

Mr. Gwin moved to take up the Pacific Railroad bill. After debate, lost—yeas 13, nays 24.

The Homestead bill coming up in order,

Mr. Hunter moved to postpone it till Wednesday, next week.

Messrs. Hunter, Dawson, Brodhead, and Johnson, advocated the motion to postpone, and Messrs. Gwin and Walker opposed the motion.

House of Representatives, May 8, 1854.

The House was much fuller than usual, at the hour of opening, this morning.

The Speaker stated the business first in order was the call, by States, for petitions.

Mr. Richardson moved that the House resolve itself into Committee of the Whole on the state of the Union; and stated that his purpose was, to move to lay aside all other business, for the purpose of reaching the Kansas-Nebraska bill.

Mr. Campbell said that the gentleman had been allowed to make a statement, and he——

Mr. Clingman. I object to anything except the regular course of business.

Mr. Campbell. I wish to understand, if we set aside the Deficiency bill, a matter of great importance——

Several voices. Order, order.

Mr. Wheeler. I would ask permission to present a remonstrance from several hundred citizens of New York, against the repeal of the Missouri Compromise.

Voices. No, no.

Mr. Stephens, of Georgia, said the proceedings were important, and a full House should be obtained; and, for the purpose of securing it, he would move a call of the House, and on that motion demanded the ayes and noes; which call was sustained.

Mr. Mace gave notice that he had paired off with Mr. Powell, of Virginia.

Mr. Drum stated that Mr. Jones, of Pennsylvania, had paired off with Mr. Hiester, of the same State.

Mr. Seymour announced that he had paired off with Mr. Caskie, and that Mr. Aiken had paired off with Mr. Appleton; but as he and Mr. Aiken were both present, they would vote, as it would not influence the question.

The motion of Mr. Stephens to order a call of the House was sustained—yeas 165, nays 11.

Mr. Greenwood stated that Mr. Hill, of Kentucky, had paired off with Mr. Harlan, of Ohio.

Mr. Henn stated that his colleague, Mr. Cook, had been called to his home by the death of a daughter.

One hundred and ninety-two members answered to their names upon the calls being made.

The following are the names of the absent members, viz: Appleton, sick; Bissell, do.; Bliss, do., and paired off with Ewing; Carothers, called away on official business, and paired off with ———; Caskie, absent from the city; Chase, sickness in family; Chastain, paired off with Morrison; Cook, death in family; Dent, sickness in family; De Wit, sick; Ewing, sick, paired off with Bliss; Fuller, out of the city; Faulkner, at home on important business; Gray, paired off with Pringle; A. Harlan, paired off with Hill; A. J. Harlan, absent from the city, and in bad health; W. P. Harriss, sick; Hastings, absent on important professional engagements; Heister, ditto, and paired off with J. Glancy Jones; Hill, paired off with a Harlan; J. Glancy Jones, paired as above; Lindley, absence not explained; McMullen, absent, paired off with Nichols; McQueen, sickness in family; Morgan, absence not explained; Morrison, paired off Chastian; Nichols paired off McMullen; T. Ritchey, absent from city; Powell, paired off Mace; Pringle, death in his family, and paired off with Grey; Rowe, at home, on important business; W. Shannon, ditto; Sollers, sick; F. B. Stanton, paired off with Yates; Westbrook, at home on important professional business; Yates, paired off as above. Total 36.

All of these gentlemen, for whom excuses were presented, were excused; when, on motion of Mr. Stephens, proceedings upon the call were arrested.

Mr. Hamilton called for the yeas and nays upon the motion of Mr. Richardson to go into Committee of the Whole, and the motion prevailed—yeas 109, nays 88; and the House went into committee, Mr. Olds in the Chair.

Mr. Richardson moved that the first bill on the Calendar, No. 48, be taken up.

Mr. Campbell asked that it might be read, and it was read by its title.

Mr. Houston thought the bills might all be laid aside by one vote, as that would be sufficient to test the vote.

Many voices objected.

Mr. Wheeler called for the reading of the bill; which was ruled not in order.

Mr. Haven said when the House was last in Committee, the Deficiency bill was in order, and took an appeal upon a point of order involved, when the Chair was sustained.

Mr. Richardson withdrew his former motion, and moved to lay aside the Deficiency bill; which was decided by tellers in the affirmative—ayes 103, noes 82.

Fifteen bills on the calendar, including the French Spoliation bill, were then successively laid aside, on votes by tellers—103 being the highest of the affirmative votes. But two more were to be acted upon, when our report closed, before reaching the Nebraska-Kansas bill.

Three o'clock.—The Nebraska bill has been reached, amidst clapping of hands in the hall, and, to some extent, in the gallery.

A motion to lay it aside was lost—yeas 85, noes 105, Messrs. Gerrit Smith and Breckinridge tellers.

An amendment has been proposed by Mr. Richardson.

Mr. HIBBARD, of New Hampshire, is making a speech in support of the bill.

THE WARDS.—The people of Kentucky are determined to fix the seal of their condemnation upon the Wards, and all who aided in their escape from justice. Purposes of violence are disclaimed. Mr. Crittenden has gone to St. Louis; Mat. Ward met no welcome at New Albany, and fled on to Connelton, Illinois. He will probably skulk the rest of his life.

MESSAGE OF THE GOVERNOR OF CONNECTICUT.—The new Governor of Connecticut is the Hon. Henry Dutton, professor in the law school at New Haven. In his message, delivered on Thursday, he says "the passage of the Nebraska bill would be a great outrage to the people of the slave States." He remarks that the people of Connecticut are well qualified to judge of the question, and adds:

"Even the ministers of the gospel, of every denomination, though chiefly devoted to the study of the Bible, are better qualified, in my judgment, to decide on the morality of an act of Congress, than those statesmen whose mental vision is blinded by interest or ambition."

Two shocks of an earthquake were felt at San Francisco on the 10th ult.

THREE DAYS LATER FROM EUROPE.

NEW YORK, MAY 5.—The steamer Africa arrived this morning, with three days later intelligence from Europe, bringing Liverpool dates to the 22d ult.

Flour has advanced sixpence, Canal being quoted at 38s. 6d., Baltimore and Philadelphia at 39s. to 39s. 6d. Cotton has advanced one-sixteenth, on grades above good ordinary; sales of the week, 40,000 bales. Wheat has advanced twopence, and corn is unchanged.

Money is easier, at previous rates. Consols have declined, closing Saturday morning at 87⅛. All accounts state that the Manchester trades are improving.

Provisions steady, prices unchanged. Coffee, sugar, and molasses, unchanged. Tobacco firm. Iron active, and in request. American stocks firm, and in active demand.

Political and War News.—Three battles had taken place on the Danube, during which the Turks, according to orders received from Omer Pasha, retreated. While the engagements lasted, however, they, the Turks, fought valiantly.

The French squadron under Admiral Parseval Deschenes, consisting of twenty-seven battle ships, frigates, corvettes, sailed from Brest, April 12th, to join the fleet in the Baltic, under Napier.

The number of the French navy now afloat is 56,000.

It is stated that the Russians are now only one hundred and twenty-five English miles from Varna.

The export of arms from Austria to Montenegro has been prohibited.

A Greek conspiracy has been discovered at Constantinople, for attacking the Turks during the Easter holydays.

Count Nesselrode issued a circular to the Russian Diplomatic agents, favorable to Greek insurrection.

Accounts from Athens state that an Anglo-French note of a menacing nature had been received by the Government.

A Greek ship with ammunition had been captured off the island of Nicropont.

Complaints have been made of the want of accommodation for the allied troops at Gallipoli.

It is rumored that Thessaly, Macedonia, and Salonica, are in a state of revolt.

Eighteen Russian frigates of war are lying at Helsurgofars, and Admiral Plumridge has been waiting with four frigates for Sir Charles Napier to come up with his squadron to attack them.

All the English men-of-war had left the Roadstead of Copenhagen.

There was still considerable ice in the Gulf of Finland, but not enough to interfere with the cruising of frigates watching the movements of the Russian forces.

All the Russian ports in the Baltic are now under blockade, and altogether ten Russian merchant ships have been captured.

A letter from Constantinople states that the Amaul soldiers stationed at Revesa had sallied out into the surrounding country, burned fifteen villages, violated the women, and carried off everything valuable.

England and France.—The convention between the French and English Governments, which was signed a few days since at London, has already been ratified.

An English decree has been issued, prohibiting exports of iron to all parts of the continent of Europe.

The English operatives at Preston have resumed work, but at Stockport an attempt to reduce their wages has been resisted, and some fifteen thousand men turned out.

Spain.—The correspondent of the London *Times* states that the affair of the Black Warrior, so far from being settled, has been urged on with extreme violence, and wears a threatening aspect.

It is stated that Minister Soulé has demanded from Spain the recall of the Captain General of Cuba, and that an officer be appointed to succeed him having power to settle upon the spot such disputes as may arise with the American Government.

Minister Soulé has also demanded, it is stated, an immense amount of money indemnity. The result of the demand, however, is unknown.

The Spanish Government has issued an important decree against the slave trade in Cuba, according to which, all slaves are to be immediately registered; and any slave found upon the island without a register is to be looked upon as fraudulently imported, and to be declared free. The decree also provides for the introduction and organization of white laborers.

The utmost anarchy prevails at Barcelona and Saragossa. Numerous incendiary fires had occurred. The church at San Francisco de Paula had been consumed.

The leaders in the late outbreak had issued an address to the operatives, calling upon them to stand firm. They are well supplied with arms.

Austria and Prussia.—Austria and Prussia have signed a treaty of alliance, offensive and defensive.

Sweden and Russia.—Advices from Copenhagen state that the Swedish Government has positively entered into a secret treaty with Russia, by which an absolute enactment should be passed, forbidding more than four ships at once to enter a harbor. The treaty also extends its effects to Norway. This matter, however, has been taken up by the Swedish Parliament.

The journal of St. Petersburgh, of April 13, publishes a manifesto, replying to the English and French declaration of war. The manifesto throws the responsibility of the war upon France and England, and says that the Czar's generous confidence has been abused.

AFFAIRS IN HAVANA.—*Havana, April 27.*—Our attention since my last letter has been excited by the silent but active preparations of this Government for war. The artillery companies have been sent to the Moro Castle, and guns have been mounted on the different fortifications around Havana, and the Governor has at last decided upon arming four thousand blacks. These troops are to be officered by whites, and the sergeants are to be whites also.

Another important movement is the amnesty to all political offenders who are abroad, granted by the Queen, followed up by permission from the Governor to all to return to Cuba, with an authorization to the Royal Ayuntamientos or Boards to raise funds by subscription to pay the expenses of poor exiles in returning to their homes.—*Cor. of Courier and Enquirer.*

BOSTON, MAY 8.—A riot took place at Chelsea, about four miles distant from this city yesterday, between the Irish and Americans, during which a boy ascended the lightning-rod of the Catholic Church, and tore the cross from the steeple. The crowd below immediately seized it, crushed it in atoms, and distributed the pieces among the mob. Intense excitement prevails throughout the place, and also in Boston and elsewhere.

PHILADELPHIA MAY 6.—The towboat Pennsylvania, when near Bordentown, last night, had her boiler exploded, killing four men and badly wounding several, some of whom it is feared cannot survive. Many were blown overboard, but managed to swim ashore. Nine horses were killed. The boat was much injured.

CONNECTICUT.—The two Houses, in convention, yesterday, chose Henry Dutton for Governor; A. H. Halley, Lieutenant Governor; O. H. Perry, Secretary; D. W. Crump, Recorder, and John Dunham, Treasurer—all Whigs. Governor Dutton received 140 out of the 233 votes cast.

TRAIN FOR CALIFORNIA.—A despatch from Independence, Missouri, May 3d, states that John S. Keeler, with the Virginia train, en route for California, had passed through here, on that day; men all well.

Markets.

BALTIMORE, MAY 8.—Flour—sales of 1,500 barrels Howard Street and City Mills, at $8.50. Wheat—4,000 bushels offered without purchasers, small sales of white, at $2.10 to $2.15, and of red, at $2.05 to $2.07. Corn—sales of 11,000 bushels white, at from 73 to 75 cents; red, at 77 cents, and mixed at from 72 to 73 cents. Oats held at 54 to 55 cents. Pork—sales of 500 barrels mess, at $14.62. Bacon—sales of 250,000 pounds bulk, at 5⅜ cents, and 150 hogsheads of shoulders, at 6 cents. Butter in kegs, at 12 to 15 cents; in rolls, at 16 to 20 cents.

NEW YORK, MAY 8.—Flour firm; sales of 4,000 barrels State brands, at $7.12; Southern at $8.12 a $8.25. Wheat firm and price unchanged. Corn—sales of 40,000 bushels, mixed at 84 cents, yellow at 90 cents. Cotton and Stocks unchanged.

[CONTINUED FROM FIRST PAGE.]

our fathers did, or did not, on this two-fold application. Being prohibitions on the Government of a State, as well as on the National Government, we must, in the name of religion and reason, of God and man, protest against limiting the prohibition to the National Government for the exceedingly wicked purpose of continuing the bondage of millions of our fellow-men.

Had we the right, by reason of any obscurity in the teachings of the Constitution on the point under consideration, or from any other cause, to go into collateral evidences of the character of these teachings, we should find our interpretation not weakened, but confirmed.

Nearly all the amendments of the Constitution, and, indeed, all of them, which concern our present argument, were taken from the Bill of Rights, which the Virginia Convention proposed to have incorporated with the Federal Constitution. But, inasmuch as this Bill of Rights speaks neither of Congress, nor the Federal Government, its language is to be construed as no less applicable to a State than to the Nation, as providing security no less against the abuse of State power than Federal power.

Again: in the Congress, which submitted the amendments, Mr. Madison was the first person to move in the matter. He proposed two series of amendments, one of them affecting Federal, and the other State powers. His proposition provided to have them interwoven in the original Constitution. For instance, the negations of Federal Power were to be included in the ninth section of the first article; and the negations of State power in the tenth section of that article. And, what is more, several of the amendments, which he proposed to include in this tenth section, are, not only in substance, but almost precisely in letter, identical with amendments, which became a part of the Constitution. It was in the following words, that Mr. Madison justified his proposition to restrain the States: "I think there is more danger of these powers 'being abused by the State Governments than 'by the Government of the United States." "It 'must be admitted on all hands, that the State 'Governments are as liable to attack these invaluable privileges, as the General Government is, 'and therefore ought to be as cautiously guarded 'against." "I should, therefore, wish to extend 'this interdiction, and add, that no State shall 'violate," &c. If there was any reason to restrain the Government of the United States from infringing upon these essential rights, it was equally necessary that they should be secured against the State Governments. He thought, that if they provided against the one, it was as necessary to provide against the other, and was satisfied, that it would be equally grateful to the people.

The House of Representatives did not adopt Mr. Madison's plan of distributing the amendments through the original Constitution, and thus expressly applying one to the Federal and another to a State Government. On the contrary, it made them a supplement to the original Constitution, and left a part of them couched in terms, that render them equally applicable either to one Government or the other. It must not be forgotten, that Mr. Madison's plan was embodied in the report of a committee, and was kept before the House, for a long time. Nor must it be forgotten, that whatever may have been said by this or that speaker, in respect to the application of this or that amendment, no vote was taken declaring, that all, or, indeed, any of the amendments apply to the General Government. What, however, is still more memorable is, that there was a vote taken, which shows, that the House did not mean to have all the amendments apply to the General Government only. The vote was on the following proposed amendment: "No person shall be subject, in case of impeachment, to 'more than one trial, or one punishment for the 'same offence, nor shall be compelled to be a 'witness against himself, nor be deprived of life, 'liberty, or property, without due process of 'law," &c. Mr. Partridge, of Massachusetts, moved to insert after "same offence" the words: "by any law of the United States." His motion failed: and its failure proved, that the House would restrain a State, as well as the Nation, from such oppression.

As the Senate sat with closed doors, we know nothing of its proceedings in respect to the amendments, except that it concurred with the House in recommending them.

I will say no more in regard to the meaning of the amendments. Is it claimed, that if the original Constitution is pro-slavery and the amendments anti-slavery, the original Constitution shall prevail against the amendments? As well might it be claimed to reverse the rule in the case of a will and to have its repugnant language prevail against the codicil. The amendments of the Constitution, are the codicils of the Constitution; and if anywhere they conflict with it, the Constitution must yield.

I have, now, done, not only with the amendments, but with the entire Constitution. Within the compass of a single speech, I could, of course, comprise but an outline of my argument. I commend to my hearers the arguments of William Goodell and Lysander Spooner on this subject. It must be very difficult for an intelligent person to rise from the candid reading of Mr. Spooner's book, entitled "The Unconstitutionality of Slavery," without being convinced, by its unsurpassed logic, that American slavery finds no protection in the Constitution.

I said, that I have, now, done with the Constitution. I believe, I am warranted in adding, that I have reached the conclusion, that there is power in the Constitution to abolish every part of American slavery. Is it said, that this conclusion, notwithstanding the manifest logical necessity for arriving at it, is, nevertheless, not sound? One of the objections to its soundness—viz: that the slaveholders could never have consented to adopt a Constitution of such anti-slavery powers—I have already replied to, by saying, that the slaveholders of that day, being against the continuance of slavery, and the slaveholders of this day for it, the former cannot be judged of in the light of the character of the latter. To this I add, that whatever were the slaveholders of that day, and whatever were their motives in adopting an anti-slavery Constitution, they, nevertheless, did adopt it, just as it is—anti-slavery as it is. The other principal objection to the soundness of my conclusion is, that neither slaveholders nor non-slaveholders would have consented to adopt a Constitution, which annihilates State sovereignty. My answer to the latter objection is, that the States are not sovereign, and were not intended by the Constitution to be sovereign. The simple truth is, that our fathers refused to repeat the experiment of a Confederacy of States; and that, instead of it, they devised for themselves and their posterity a Government, which is, altogether, too broad and binding to consist with State sovereignty. The Constitution prescribes limits to the State quite too narrow for the play of sovereignty. It denies the State many specific powers, each of which is vital to sovereignty. For instance, it restrains it from entering into a treaty; and from coining money; and, if the power to deprive "of life, liberty, or property," is vital to sovereignty, then, as we have seen, the State is not sovereign, because it has not this power. Our fathers would not consent, that any section of their fellow-men, with whom they had come under a common Government, should outrage essential human rights. Our fathers would not fraternize with the people of Massachusetts, and yet allow them to plunder each other of property. They would not consent to be one people with murderers, and, therefore, they would not allow room for the Pennsylvanians to turn Thugs. And slavery, being worse than murder, (for what intelligent parent would not rather have his children dispatched by the murderer, than chained by the slaveholder?)—slavery being, indeed, the greatest wrong to man, of which we can conceive—our fathers would not come under the same Government with Virginians, if Virginians were to be allowed to enslave and buy and sell men. Does the Constitution require us to remain bound up with Pennsylvania, even though her policy is to shoot all her adult subjects, whose stature falls below five feet? Does it require us to continue in the same political brotherhood with Virginia, even though she shall enslave all her light-haired subjects, (or, what is the same in principle,) all her dark-skinned subjects? So far from it, there is power in that Constitution to hold back Pennsylvania and Virginia from the commission of these crimes.

Every person remembers one part of the tenth amendment of the Constitution; and every person seems to have forgotten the other. Every day do we hear, that powers are reserved by the Constitution to the States; but, no day, do we hear, that powers are "prohibited by it to the States." Now, among those prohibited powers, is that of classing men with horses and hogs.

Let it not be implied from what I said, a minute ago, that I would admit the competence of a State Government to enslave its subjects, provided the Federal Constitution had not curtailed its sovereignty. No human Government, however unlimited its sovereignty, has authority to reduce man to a chattel—to transform immortality into merchandise. And cannot I add with truth, and without irreverence, that such authority comes not within the limits even of the Divine Government?

Nor let it be implied, that I am indifferent to State rights. I am strenuous for their maintenance: and I would go to the extreme verge of the Constitution to swell their number. But there I stop. The province of the State shall not, with my consent, encroach upon the province of the Nation; nor upon ground denied to both by the law of God and the limits of civil government.

It is, sometimes, said, that the amendment, on which I have spoken so extensively, refers to criminal prosecutions only. But what if this were so? It would, nevertheless, cover the case of the slave. You, surely, would not have a man stripped of his liberty, ay, and of his manhood too, who is not charged with crime. The Government, which says, that it will make him, who is not a criminal, a slave, confesses itself to be unutterably unjust and base.

The Constitution, as has been seen in the course of my argument, forbids slavery. Its pro-slavery character has been assumed. What is there, indeed, that will make for itself, that slavery does not assume? No wonder! It is itself but a mere assumption—and the most monstrous assumption. The only wonder is—and the sorrow is as great as the wonder—that the American people should be in the miserable, servile habit of yielding to all these bare-faced assumptions of slavery. The speakers on both sides of this bill have taken it for granted, that the Constitution is pro-slavery:—and when the honorable gentleman of North Carolina [Mr. Clingman] coolly said: "Every single provision in that instrument, '(the Constitution,) is pro-slavery—that is, for 'the protection and defence and increase of slavery," no one seemed to doubt the truth of what he was saying, any more than if he had been reading Christ's Sermon on the Mount. And, yet, the instrument, of which the honorable gentleman affirmed all this, refused to pollute its pages with the word "slavery," or even with a word, (servitude,) which might, possibly, be construed into slavery! Moreover, the instrument avows, that "to secure the blessings of liberty," is among its objects. Though administered to uphold the curse of slavery, the Constitution was, nevertheless, made "to secure the blessings of liberty." Hence, the declaration, in the former part of my Speech, that THERE IS NO LAW FOR AMERICAN SLAVERY, IS TRUE. But I must not stop here. It would be disingenuous to do so. My stopping here would imply, that, if I found slavery in the Constitution, I would admit its legality. But I would not—just as I would not admit the legality of murder, even though it were embodied in all the organic laws of all the nations. I proceed, therefore, to declare, and to argue the justice of the declaration, that

THERE NOT ONLY IS NO LAW FOR AMERICAN SLAVERY, BUT THAT THERE CAN BE NO LAW EITHER FOR AMERICAN, OR ANY OTHER, SLAVERY.

1st. Law is, simply, the rule or demand of natural justice. Justice is its very soul: and it is, therefore, never to be identified with naked and confessed injustice. Law is for the protection—not for the destruction—of rights. Well does the Declaration of Independence say, that "to secure these rights, Governments are instituted among men." They are instituted, not to destroy, but to secure, these rights. It is pertinent to the case in hand, to see what are "these rights," which the Declaration specifies: They are "life, liberty, and the pursuit of happiness." These it declares to be "inalienable." These are not conventional rights, which, in its wisdom, Government may give, or take away, at pleasure. But these are natural, inherent, essential rights, which Government has nothing to do with, but to protect. I am not saying, that men cannot forfeit these rights. But I do say, that they can lose them, only by forfeiting them. I admit, that a man may forfeit liberty by his crimes; and that it will be the duty of Government to prevent his re-enjoyment of it. I remark, incidentally, that, though a man may forfeit liberty, this is quite another thing from his deserving slavery. Slavery unmans: and the worst man, no more than the best man, deserves to be unmanned. But to return from this digression to my declaration, that law is for the protection of rights—I proceed to say, that slavery annihilates all the rights of its victim. For, in striking down the right of self-ownership, it strikes down that great centre-right, to which all other rights are tied; by which all other rights are sustained; and, in the fall of which, all other rights fall. Murder itself cannot be a more sweeping destroyer of rights than is slavery—for murder itself is but one of the elements in the infernal compound of slavery.

Slavery being such, as I have described it, there, of necessity, can be no law for it. To give to it one of the mildest of its proper and characteristic names, it is a conspiracy—a conspiracy of the strong against the weak. Now, all are aware, that there is law to put down a conspiracy—but who ever heard of law to uphold a conspiracy? Said William Pitt, when speaking in the British Parliament, of the African slave-trade: "Any contract for the promotion of this 'trade must, in his opinion, have been void from 'the beginning, being an outrage upon justice, 'and only another name for fraud, roberry, and 'murder." But the slave-trade is all one with slavery:—nothing more and nothing less than slavery. Said Granville Sharp, when speaking of slavery and the slave-trade: "No authority 'on earth can ever render such enormous iniquities legal." Says Henry Brougham: "Tell me 'not of rights; talk not of the property of the 'planter in his slaves. I deny the right. I 'acknowledge not the property. The principles, 'the feelings, of our common nature, rise in rebellion against it. Be the appeal made to the 'understanding, or the heart, the sentence is the 'same, that rejects it. In vain, you tell me of 'laws, that sanction such a crime! There is a 'law above all the enactments of human codes—'the same throughout the world—the same in 'all times—such as it was before the daring 'genius of Columbus pierced the night of ages, 'and opened to one world the sources of power, 'wealth, and knowledge; to another, all unutterable woes, such as it is at this day. It is the 'law written by the finger of God on the heart 'of man, and by that law, unchangeable and 'eternal, while men despise fraud, and loathe 'rapine, and abhor blood, they will reject with 'indignation the wild and guilty fantasy, that 'man can hold property in man!"

To hold that slavery, which is the crime of crimes and abomination of abominations, is capable of legalization, is, a pre-eminent confounding of injustice with justice, and anti-law with law. Knowingly to admit into the theory and definition of law even a single element of wrong, is virtually to say, that there is no law. It is virtually to say, that earth is without rule, and heaven is without rule; and that the light, order, and harmony of the Universe may give place to darkness, disorder, and chaos. But if such is the effect of alloying law with only one wrong, how emphatically must it be the effect of regarding as law that, which is nothing but wrong!

I am advancing no new doctrine, when I say, that essential wrongs cannot be legalized. This was the doctrine, until supplanted by the absurd and atheistic maxim, that "Parliament is omnipotent." Even Blackstone, with all his cowardice in the presence of that maxim, repeatedly confesses, that human legislation is void, if it conflicts with Divine legislation. And if we go back to the times of Lord Coke, we find him quoting many cases, in which it was held, that the common law, or, in other words, common sense, or common justice, can nullify an act of Parliament. He says: "It appeareth in our books, that in 'many cases the common law shall control acts 'of Parliament, and sometimes shall adjudge 'them to be utterly void: for when an Act of 'Parliament is against common right and reason, 'or repugnant, or impossible to be performed, the 'common law shall control this, and adjudge 'such act to be void."—[*Dr. Bonham's Case in Life of Lord Bacon.*]

I would add, in this connexion, that the province of a human legislature does not extend even to all lawful and innocent things. That it is commensurate with the whole field of human interests and obligations, is a very great, though a very common mistake. It covers but a small portion of that field. Not only are crimes incapable of being legalized, but there are numberless relations and duties, which are ever to be held sacred from the invasion and control of the human legislature. For instance, what we shall eat and wear is a subject foreign to human legislation. What shall be the character of the intercourse between parent and child is no less so. But if there is a natural, lawful, and innocent relation, for which the human legislature may not prescribe, how much less is it authorized to create the unnatural, monstrous, and supremely guilty relations of slavery!

2d. Law is not an absurdity, but is one with reason. Hence, in point of fact, a legislature cannot make law. It can declare what is law. It can legislate in behalf of that only, which is already law. Legislation for liberty may be law, because liberty itself is law. But legislation for slavery cannot possibly be law, because slavery is not law. That cannot be law, the subject matter of which is not law. The great fundamental and controlling law in the case of a man is, that he is a man. The great fundamental and controlling law in the case of a horse is, that he is a horse. The great fundamental and controlling law in the case of a stone is, that it is a stone. All legislation, therefore, which proceeds on the assumption, that a stone is wood, is absurd and void. So, too, all legislation, that proceeds on the assumption, that a horse is a hog, is absurd and void. And, so too, and far more emphatically, all legislation, which proceeds on the assumption, that a man is a thing—an immortal God-like being a commodity—is absurd and void. But such is the legislation in behalf of slavery. The statutes of our Slave States, which, with infinite blasphemy, as well as with infinite cruelty, authorize the enslaving of men, say, that "the slave shall be deemed, 'held, taken, to be a chattel to all intents, con'structions, and purposes whatsoever;" that "the 'slave is entirely subject to the will of his mas'ter:" and that "he can possess nothing, but 'what must belong to his master."

We are amazed at the madness of the Roman ruler, who claimed for his favorite horse the respect, which is due to the dignity of manhood. But the madness of the American ruler, who sinks the man into the horse, is certainly no less than that of the Roman ruler, who exalted the horse into the man.

There can be no law against the law of nature. But a law to repeal the law of gravitation would be no greater absurdity than a law to repeal any part of the everlasting moral code. The distinction of higher and lower law is utterly untenable, and of most pernicious influence. There is but one law for time and eternity—but one law for earth and heaven.

I must not, then, know, as law, or, in other words, as wisdom and reason—but I must reject, as anti-law, and nonsense, and madness—that, which calls on me to regard a stone as a stump, a horse as a hog, a man as a thing. I must not undertake to conform myself to such ideal and impossible transformations. But I must accord to every being, animate or inanimate, the nature given to it by its Great Maker. I must deny, that the being made in the image of God can, any more than God Himself, be turned into a slave. I must deny, that it is possible for human enactments to transmute men into chattels, and to annihilate the essential and everlasting distinction between immortality and property. I must deny, that there is truth in Henry Clay's famous declaration, that "that is property, which the law (meaning human legislation) makes property." I must deny, that slavery can any more furnish the elements of law, than darkness can be changed into light, or Hell into Heaven. I must deny, that the fact of a slave is philosophically and really, a possible fact. I must deny, that man can lose his nature, either in time or eternity. Let slavery and slave-legislation do their worst upon him; let them do their utmost to unman him; he is still a man. Nor, is it whilst he is in the flesh only, that his manhood is indestructible. It is no less so, after he has "shuffled off this mortal coil." When "the heavens shall pass away with a great noise, and the elements shall melt with fervent heat; the earth also, and the works, that are therein," and all that is, or can be, property, "shall be burnt up," the deathless spirit of man, unchanged and unchangeable, may stand upon the ashes and exclaim: "I am still a man—I have lost nothing of my manhood."

I have in other parts, as well as in this part of my speech, carried the idea, that slavery, in its theory, is the conversion of men into things. It was right for me to do so. Such conversion is the sole essence of slavery. This, and this alone, distinguishes it from every other servitude. In point of fact, slavery is not necessarily, and, indeed, is not at all, by any just definition of the word, servitude. Let the life of the slave be all idleness; and let him be "clothed in purple and fine linen, and fare sumptuously every day;" and he is still as absolutely a slave, as if he were in the hardest lot of a slave. Whatever his privileges, if he have no rights—however indulgent his treatment, if he is owned by another, instead of himself—he is still a slave, and but a slave. I wish it to be borne in mind, that I arraign slavery, not because it withholds wages, and marriage, and parental control of children, and the Bible and Heaven, from its victims. I do not arraign it for denying these, or any other rights, to a mere chattel. Such denial is perfectly consistent. A chattel is entitled to no rights—can have no rights. What I arraign slavery for, is for its making a man a chattel. I do not arraign slavery for the terrible enactments, which, for its security, it puts into the statute-book; nor for the terrible advertisements which it puts into the newspapers. These enactments are the natural and necessary outgrowth of the blasphemous assumption, that man, with all his great attributes and destiny, is capable of being reduced to a thing. These advertisements, some of which are offers of large bounties for the recovery of fugitive slaves, or for the production of their dissevered heads; some of which contain revolting descriptions of their slavery-scarred and mangled persons; and some of which contain offers of trained bloodhounds to hunt them—these advertisements are, in no wise, to be wondered at. Slavery itself—not its fruits and incidents—is the wonder. That man should be found so perverted and depraved, as to sink his equal brother into slavery—it is this, and nothing incidental to it, or resulting from it, that should fill us with astonishment. In reducing a man to a thing, we have not only committed the highest crime against him, but we have committed all crimes against him; for we have thrown open the door—the door never again to be shut—to the commission of all crimes against him.

Perhaps, such language, as I have just been using, will occasion the remark, that I am prejudiced against the South. But I know, that I am not. I love the South equally well with the North. My heart goes out as strongly to Southern, as to Northern men, on this floor. Far am I from attributing to Southern men a peculiarly severe nature. I had rather attribute to them a peculiarly generous nature. I believe, that there is not another people on the earth, in whose hands the system of slavery would work more kindly—with less of cruelty and horror. Nowhere can it work well—for there is nothing in it to work well. Nowhere can it be unattended with the most frightful and deplorable abuses—for it is itself the most stupendous abuse.

3d. My argument, in the third and last place, to prove, that THERE CAN BE NO LAW, EITHER FOR AMERICAN, OR ANY OTHER SLAVERY, is that, that is not law, and is never, never, to be acknowledged as law, which men cannot regard as law, and use as law, without being dishonest. Both heaven and earth forbid that, which cannot be, but at the expense of integrity. Now, in the conscience of universal man, slavery cannot be law—cannot be invested with the claims and sacredness of law. Hence, to regard it as law, and use it as law, is to be dishonest. There may be little, or no, consciousness of the dishonesty. Nevertheless, the dishonesty is there. I said, that the consciousness, that slavery cannot be legalized, is universal. Let me not be misunderstood in what I said. I did not mean, that there are none, who believe, that the slavery of others can be legalized. I admit, that thousands believe it. At the same time, however, I affirm, that not one of them all would believe slavery to be a thing of law, and entitled to the respect of law, were it brought to war against himself. The presence of an enactment for slavery would inspire with no sense of the sacred obligations of law—with no sense of the honor and obedience due to law—him, who should be claimed under it. Now, how such a person is to be regarded—whether as believing the laws for slavery to be valid or void, real and true laws, or nominal and no laws—is to be decided, not according to his view of them, when applied to others, but according to his sense of them, when brought home to himself. Self-application is the testing crucible in all such cases.

If an American gentleman is so unfortunate, as to be brought under the yoke of slavery in one of the Barbary States; and if, notwithstanding, the slavery is decreed by the supreme power of the State, he breaks away from it, and thus pours contempt upon the decree and the source of it; then, obviously, on his return to America, he cannot acknowledge slavery to be law, and yet be honest. If it is true, that what is law we are no more at liberty to break in a foreign country than in our own country, so also is it true, that what is too abominable and wicked to be law in one part of the world is too abominable and wicked to be law in any other part of the world. Should this gentleman be elected to Congress, he will be dishonest, if he legislates for slavery. Should he take his seat upon the bench, he will be dishonest, if he administers a statute for slavery. And no less dishonest will he be, if, as a juror, or marshal, or as President of the United States, he shall contribute to the enforcement of such statute. But every American gentleman would, like this one, break away from slavery if he could; and, hence, every American gentleman, who recognises slavery as law, does therein stigmatize and condemn himself. Possibly, however, there may be some American gentleman, who is inspired with such a sense of the fitness and beauty of slavery, as to welcome its chains about his own person. If there is such a one, "let him speak—for him have I offended."

That no one can honestly recognize a law for slavery, is on the same principle, that no one can honestly recognize a law for murder. But there are innumerable things, which all men hold cannot be legalized. I venture the remark, that, among all the Judges of this land, who, ever and anon, are dooming their fellow-men to the pit of slavery, there is not one, who could be honest in administering even a sumptuary law—for there is not one of them, who, in his own person, would obey such a law. How gross is their hypocrisy! They affect to believe, that Government has power to legalize slavery—to turn men into things:—and yet deny, that Government may go so far, as to prescribe what men shall wear! Government may do what it will with the bodies and souls of men:—but to meddle with their clothes—oh, that is unendurable usurpation!!!

If, then, I am right in saying, that men cannot honestly recognize legislation for slavery, as law: cannot do so, without palpably violating that great law of honesty, which requires us to do unto others, as we would have others do unto us: if, then, I am right in declaring, that, in strict truth, there is not, in all the broad earth, one pro-slavery man: but that every man, when called to make his bed in the hell of slavery, betrays, in the agonies of his soul and the quaking of his limbs, the fact, that he is a thorough abolitionist:—if, I say, I am right in all this, then does it irresistibly follow, that I am also right, in my position, THAT THERE CAN BE NO LAW, EITHER FOR AMERICAN, OR ANY OTHER SLAVERY. I am right in this position, because, that, by no reasonable theory, or definition, of law, can that be called law, which is incapable of being administered honestly. The fact, that men must necessarily be dishonest in carrying it out, is, of itself, the most conclusive and triumphant argument, that it is not law. To take the opposite ground, and to claim, that to be law, which every man, when properly tested, denies is law, is to insult all true law, and Him, who is the source of all true law. I conclude, under this head, with the remark, that, the question, whether slavery is, or is not to be known as law, resolves itself into a question of simple honesty.

I must say a few words to protect what I have said from the misapprehension, that I counsel trampling on all wrong legislation. I am very far from giving such counsel. No wrong legislation, that is at all endurable, would I resist. And, I add, that I would be patient with almost every degree of wrong legislation, provided it is legislation in behalf of what is lawful, and of what it is competent to legislate upon. Imprisonment for debt is wrong legislation—very wrong and very cruel legislation. But, inasmuch as the relation of debtor and creditor comes within the cognizance of the legislature, I will not treat such legislation as void. The legislature has a right end in view. It is to help the creditor get justice. Its error consists in selecting wrong means to this end; and in putting a wrong remedy into the hands of the creditor. I am to treat this action of the legislature as a mistake—and a mistake, which I am not to go beyond the limits of persuasion to seek to correct. The paying of one's debts is justice—is law. Enactments to enforce this justice and this law may, some of them, be improper—such as compelling payment by the terrors of imprisonment. But, as they are enactments to enforce justice and what is itself law, I must be very slow to denounce them, as no law. So, too, if my Government declare war against a nation—I am not to treat the Government, nor the declaration, however unjust it may be, with contempt. I must remember, that Government has jurisdiction of national controversies, and that the redress of national wrongs is justice—is law. Government may err in its modes of redress. It may resort to the sword, when it should confine itself to the exertion of moral influence. The cause, nevertheless, which it is prosecuting, may be one of unmingled justice. Like every good cause, it may itself be law; and, therefore, Government would not be chargeable with impertinence and usurpation for taking it in hand. But, how different from all this is it, when Government sets up slavery! In that case, the subject matter of its action is, most emphatically, not law. In that case, most emphatically, it has gone beyond its province. To Government belongs the adjustment of the relations between creditor and debtor; and it is for Government to dispose of national controversies. But, when Government undertakes the crime and absurdity of turning men into things—of chattellizing, instead of protecting, a portion of its subjects—it is, then, as far out of its place, as it can be. To such an outrage, no submission is due. It is to be resisted, at every hazard. To trample upon such lawlessness is to be law-abiding, instead of law-breaking. To rebel against such a Government is not to be revolutionary and mobocratic. The Government itself is the revolutionary and mobocratic party. If the decree should go forth from our Government, that our Irish population be murdered, the decree would, of course, be trodden under foot. But who denies, that it should be as promptly and indignantly trodden under foot, were it a decree for their enslavement?

My argument to show, THAT THERE NOT ONLY IS NO LAW FOR AMERICAN SLAVERY, BUT THAT THERE CAN BE NO LAW, EITHER FOR AMERICAN, OR ANY OTHER SLAVERY, IS ENDED. It is in place, however, to say, that the recognition by the American people of slavery as law, is, of itself, sufficient to account for their loss of reverence for law. This reverence is, necessarily, destroyed by the habit of confounding sham law with true law—by the habit, of accepting, as law, the mere forms of law, where justice, truth, reason, and every element, which goes to make up the soul of law, is lacking. This reverence must soon die out of the heart of the people, who treat, as law, that, which they know, is not law; who, in the holy and commanding name of law, buy and sell, or sanction the buying and selling, of their fellow-men; and who, in all their life, live out the debasing lie, that so monstrous and diabolical a thing, as slavery, is entitled to the shelter and honor of law. This reverence is little felt by those, who yield to the absurdity, that law and nature are opposite to each other; and that, whilst, by nature, a man is an immortal, by law he may be but a thing. It is little felt by those, who regard law as a mere conventionalism, which may be one thing in one place, and another in another; one thing at one period, and another at another. They, and they only, have adequate and adoring conceptions of law, who believe, that it is one with nature, and that it is the same in every part of the earth, in every period of time, and "eternal in the heavens." They, and they only, have such conceptions, who, instead of regarding law as synonymous with all the enactments of foolish and wicked men, identify it with unchangeable and everlasting right.

How, for instance, can the American people perceive the beauty and preciousness of law, whilst recognizing, as law, the fugitive slave act?—and whilst stigmatizing, and persecuting the handful of men, who have the integrity and the bravery to resist it? Why should not that handful fly as swift to the rescue of their brother, who is in peril of being reduced to slavery, as to the rescue of their brother, who cries: "Murder?" Ten thousand enactments for murder would not hinder them in the latter case. Ten thousand enactments for slavery should not hinder them, in the former. In each case, the rescue would be not *by* a mob; but *from* a mob.

It has, now, been shown, that the American Government has authority, both inside and outside of the Constitution—as well in natural and universal law, as in conventional and national law—to sweep away the whole of American slavery. Will it avail itself of this authority to do this work? I ask not whether Government will show pity to the slave—for I look not to Government to be pitiful to the slave, or to any other man. I look to Government for sterner qualities than pity. My idea of a true Government is realized, only in proportion, as the Government is characterized by wisdom, integrity, strength. To hold even the scales of justice among all its subjects, and between them and all other men; and to strike down the hand, that would make them uneven—this, and this only, is the appropriate work of Government.

I asked, whether the American Government will abolish slavery. I confess, that my hope, that it will, is not strong. The slave-owners have the control of this nation, and I fear, that they will keep it. It is true, that they are a comparative handful in the vast American population; and that, numbering only three hundred thousand, their calling themselves "the South" is an affectation as absurd and ridiculous, as it would be for the manufacturers of the North to call themselves "the North," or the rumsellers of the North to call themselves "the North." It is true, that their interests are alien, as well from the interests of the South, as from the interests of the North; and that slavery is the deadly foe, as well of the white population of the South, as of its black population. Nevertheless, in the present corrupt state of the public sentiment, the slave-owners are able to control the nation. They are mighty by their oneness. Divided they may be in everything else—but they are undivided in their support of slavery. The State and the Church are both in their hands. A bastard democracy, accommodated to the demands of slavery, and tolerating the traffic in human flesh, is our national democracy: and a bastard christianity, which endorses this bastard democracy, is the current christianity of our nation. The fatherhood of God and the brotherhood of man—ideas, so prominent in a true democracy and a true christianity—are quite foreign to our sham democracy and our sham christianity. American religion is a huge hypocrisy. Whilst to the immeasurable sinfulness of that system, which forbids marriage, and the reading of the Bible, and which markets men as beasts, it is blind as a bat; it, nevertheless, draws down its stupid face, and pronounces the shuffling of the feet to music to be a great sin. The different States of Christendom, as they advance in civilization and the knowledge of human rights, are, one after another, putting away slavery. Even the Bey of Tunis puts away this most foul and guilty thing: and says, that he does so "for the glory of mankind, and to distinguish them from the brute creation." But America, poor slavery-ridden and slavery-cursed America, retrogrades. Whilst other nations grow in regard for human rights, she grows in contempt for them. Whilst other nations rise in the sunlight of civilization, she sinks in the night of barbarism. Her Congress sets up slavery in her very Capital. Her Congress regulates and protects the coastwise trade in slaves. Her Congress wages unprovoked and plundering wars for the extension of slavery. Her Congress decrees, that slaveholders shall have the range of all America, in which to reduce men, women, and children, to slavery. And her President, who calls slavery an "admitted right," was shameless enough to say, in his Inaugural, that the Fugitive Slave Act, which his predecessor was shameless enough to sign, should be "cheerfully" enforced. In short, the Federal Government is now, and long has been, at work, more to uphold slavery than to do anything else, or even all things else. The great slave-catcher! the great watch-dog of slavery!—these are its most fitting names, in its present employment and degradation. And, yet, notwithstanding all this devotion of the Federal Government to slavery, and the iron determination of the slave-owners, that the power of the whole nation shall be exerted to uphold it; there, nevertheless, can be no remonstrance from the North against slavery, which is not immediately followed by the truthless and impudent reply, that the North has nothing to do with slavery! That the American people and American Government have fallen to what they are, is not to be wondered at. It is but the natural and necessary result of their having fostered and fed, for more than half a century, the monster slavery. Time was, when we might have crushed this monster. But, now, it has crushed us. It has corrupted us to such an extent, that there is scarcely a sound spot left in us, at which to begin to rally opposition to it. On no cheaper condition than this can slavery be clung to. If we will be slaveholders—and such are the Northern as well as the Southern people—for if the *slave-owners* are at the South, the people of the North are, nevertheless, more emphatically, because more efficiently, the *slaveholders*, than are the people of the South—if, I say, we will be slaveholders, we must take the evil consequences upon our own understandings and hearts, and not be surprised at them. Men cannot bind the degrading chain of slavery around their brothers without at the same time binding and degrading themselves with it.

How melancholy upon our country, and, through her, upon the world, has been the influence of American slavery! In the beginning of our national existence, we were the moral and political light-house of the world. The nations, "which sat in darkness, saw the great light," and rejoiced. Sad to say, we were ourselves the first to dim that light! The principles, which we then enunciated, electrified the nations. Sad to say, we were ourselves the first to dishonor those principles! Nothing, so much as American slavery, has gathered darkness upon that light. Nothing, so much as American slavery, has brought disgrace upon those principles. All other causes combined have not stood so effectually in the way of the progress of republicanism, as the glaring inconsistency of our deeds with our professions. In the house of her friends, Liberty has received her deepest stabs. All our boasts and falsehoods to the contrary notwithstanding, there is no Government on the face of the earth so quick as our own, to dread, and to oppose, popular movements in behalf of liberty and republicanism. On our Government, more than on all other causes put together, rests the responsibility of the stopping of the Revolution in the Spanish American States. We are wont to say, that the people of those States were incompetent to perfect that Revolution. This is a piece of our hypocrisy. The instructions of our Government and the discussions in our National Legislature, in regard to the Congress of Panama; our threat of war against Colombia and Mexico, if those States persevered in carrying forward the Revolution; and, above all, our base supplication to Russia and Spain to join us in stopping the wheels of that Revolution; prove conclusively, that though our lying lips were for liberty, our hearts, all the time, were concerned but for the protection of slavery. And, in the case of Hayti—how deadly, from first to last, has been the enmity of our Government to the cause of liberty and republicanism! To learn the extent of that enmity, we must not confine our eye to the haughty and persevering refusal of our Government to recognize the independence of Hayti. We must look at other things also—and especially at the servile compliance of our Government with the impudent and arrogant demand of Napoleon to carry out his plan of starving the Haytiens into submission.

Our Government made a display of sympathy with the European Revolutions of 1848. But who is so stupid, as to accord sincerity to that display, when he recollects, that the very first fruit of the very first of those Revolutions was the unqualified abolition of all French slavery—and a part of that slavery in the neighborhood of our own? So eager was our Government to appear to be on the side of Hungary, that it sent out a ship for Kossuth. But, long ere he had reached our shores; and, especially, whilst he was making his speeches in England in behalf of the equal rights of all men; our Government found out, that it had got more than it contracted for. Kossuth's principles were too radical. Their scope was quite too sweeping. They no more spared slavery than any other form of oppression. Yet, Government could not stop Kossuth on his way. Having started for America, he must be suffered to come to America. But how great his disappointment, on his arrival! "He came unto his own, and his own received him not." The poor man was willing to compromise matters. A thousand pities, that he was. He was willing to ignore slavery, and to go through the whole length and breadth of the land, seeing, in every man he met, nothing else than a glorious freeman. Alas, what a mistake! The policy of the Government "to give him the cold shoulder" was fixed; and no concessions or humiliations on his part could suffice to repeal it. Kossuth left America—and he left it, no less abundantly than painfully convinced, that America is one thing in the Declaration of Independence, and another in what has succeeded it; one thing in her professions, and another in her practice. Will Mazzini need to come to America to learn this lesson? And, if he comes, will he stoop to repeat Kossuth's mistakes? Thank God! Mazzini has already identified himself with the American abolitionists. May he find himself rewarded by their cordial identification of themselves with the oppressed of Europe!

I confessed, that my hope is not strong, that the American Government will abolish American slavery. Far otherwise would it be, however, did none, but slave-owners, justify slavery. They would soon be converted, were it not, that the mass of the American people fall in with them, and flatter them, and cry peace, when there is no peace. This is our great discouragement in the case. The advocates of total abstinence are not discouraged. They would be, however, if they found the mass of the sober justifying drunkards, and telling them, that drunkenness is right.

I said, at an early stage of my remarks, that the present attempt of slavery to clutch all the unorganized territory of the nation affords a favorable opportunity to freedom to push back the war into the realm of slavery. I, however, did not add, that the opportunity would be improved. Nor do I add it now:—for I am far from certain, that it will be. For many years, I have had scarcely any better hope for American slavery, than that it would come to a violent and miserable end. Their habit of courting and worshipping the slave-power, and of acquiescing in its demands, has corrupted and paralyzed the American people to such a degree, as to leave little room to hope, that they will bring slavery to a peaceful and happy termination. I confess, some little hope of such termination has been kindled in me by this new, surprising, and enormous demand of the slave-power. I confess, that I have thought it possible, that this demand might arouse a spirit, which could be appeased by nothing short of the overthrow of the whole system of slavery. Should, however, such a spirit be aroused, I fear it will not pervade the masses, but will be confined to a few. It is true, that meetings are held, all over the free States, to protest against the passage of this Bill; and that the press of those States is almost universally against it. But neither in the meetings, nor in the press, do I see repentance. They abound in indignation toward perfidy:—but they reveal no sorrow of the North for the crimes of the North against liberty. On the contrary, the meetings and the press do well nigh universally justify the Compromise of 1820, and, in the great majority of instances, the Compromise of 1850, "Fugitive Slave Act," and all. Even in sermons, preached against the Nebraska Bill, I have seen the Fugitive Slave Act justified. Now, the idea, that they, who can approve of either of these Compromises, and especially that they, who can, possibly, acquiesce in the chasing down of men, women, and children, for the purpose of casting them into the pit of slavery—the idea, I say, that such persons will perseveringly and effectively resist slavery, and do faithful battle for its overthrow, is to my mind simply absurd. They, and they only, are to be relied on for such service, who so loathe slavery, that they would rather perish than do any of its biddings, come those biddings from Congress, or from Courts, or from any other sources.

Am I bid to strengthen my hope by looking at the rapidly multiplying abolitionists? I do look at them: and this cheering sight is all, that, under God, keeps my hope alive. But I fear, that they are too late. I fear, that the disease is past cure. And I fear, too, that, even if we are yet in time to kill the Demon of Slavery, our false and pro-slavery education makes us so hesitating and timid in his terrific presence, that we shall not wage direct, deep, and fatal war upon him, but shall waste our energies and our only and swiftly passing away opportunity in ineffectual skirmishes and disgraceful dodgings. A few abolitionists are consistent: and, were they not so few, they would be formidable. They know no law for any fraud; and, therefore, they will not know it for the most stupendous fraud. They know no law for any oppression; and, therefore, they will know none for the most sweeping oppression. Such abolitionists are Garrison and Phillips, Goodell and Douglass. But most abolitionists, implicitly if not directly, tacitly if not openly, acknowledge, that slavery can have, and actually has, rights: and they are as respectful to these supposed rights, as if the subject of them were one of the greatest earthly blessings, instead of one of the greatest earthly curses.

It is true, that there is a political party in our country, organized against slavery; and that it numbers some two hundred thousand voters, among whom are some of the noblest men in the land. And, yet, I look with well nigh as much sorrow, as hope, to this party. For so long as it recognizes slavery as law, I fear, that, notwithstanding its high and holy purposes, it will do scarcely less to sanction and uphold slavery than to reproach and cast it down. Again, so long as this party is swayed by such words of folly and delusion, as "SLAVERY SECTIONAL: FREEDOM NATIONAL," its admissions in favor of slavery cannot fail to go far to outweigh all its endeavors against slavery.

A law for slavery! What confessed madness would it be to claim a law for technical piracy, or a law for murder! But what piracy is there so sweeping and desolating as slavery? And, as to murder—who would not rather have his dearest friend in the grave—ay, in the grave of the murdered—than under the yoke of slavery?

"SLAVERY SECTIONAL: FREEDOM NATIONAL!" And, therefore, according to the friends of this motto, the nation, as such, must not concern itself with the great mass of slavery, because that great mass, instead of being spread over the whole nation, exists but in sections of it. Not less foolish would it be to neglect the smallpox, because it is only in sections of the city that it prevails. Indeed, it would not be less mad to leave the fire unextinguished, because, as yet, it rages but in sections of the city. Slavery, if not extinguished, is as certain to spread, as is the fire, if not extinguished. The past attests this; and the present exhibits very glaring proof of it. If we would save the city, we must put out the fire. If we would save the nation, we must put out slavery—ay, put it out in all the nation. I said, that slavery is, now, spreading. It may not go literally into Nebraska and Kansas, either now or ever. Nevertheless, slavery will be spreading itself over our country, at least in its influence and power, so long as the nation forbears to uproot it.

"SLAVERY SECTIONAL: FREEDOM NATIONAL!" A poor flag would "Murder sectional: Anti-Murder national!" be to go forth with against murder. But not less poor is the other to go forth with against slavery. Very little inspiration could be caught from either. Nay, would not their limited toleration of the crimes neutralize their influence against the extension of the crimes? How unlike to these poor words would be "NO MURDER ANYWHERE!" "NO SLAVERY ANYWHERE!" Under such earnest and honest words, men could do battle with all their hearts. But, under the other, they are laughed at by the enemy; and should be laughed at by themselves.

There is a political party at the North, called the Liberty Party. It aims to go for every political truth; and to realize the idea of an every way righteous civil Government. It is a little party. Its handful of members are scarcely more numerous than were the primitive disciples, who were gathered in the upper room, at Jerusalem. That little party will not disown what I have said on this occasion. Every other party will. That little party has, already, lived some fifteen years. It will continue to live. Perhaps, it will not grow. Perhaps it will. The "little cloud, like a man's hand," may yet spread itself over the whole heavens. Of this much, at least, do I feel certain, that no party of essentially lower or other principles than those of the Liberty Party will suffice to bring down American slavery. Happy country this—happy North—happy South—if the present aggressive movement of the slave-power shall result in bringing triumphant accessions to the Liberty Party!

My fear, that the American Governments, State or National, will not abolish slavery, is, in no degree, abated by the fact, that several European Governments have, in the present generation, abolished it. It must be remembered, that those Governments were exterior to, and independent of, the slave-power; and that they were not trammelled by slaveholding constituencies. It is true, that slavery in Mexico was abolished by the Government in Mexico; and that slavery in South American States was abolished by the Governments in those States. But it is also true, that all this was done to promote the success of their Revolution and their deliverance from the Government of Spain. I doubt not, that even we, closely as we cling to slavery, would, nevertheless, abolish it, if urged to do so by the exigencies of war.

To hope, that, because the English Government abolished slavery, our Governments will also, is unwise, in another point of view. Comparatively disentangled with slavery as was England, slavery, nevertheless, exerted well nigh enough power over her Government to prevent its successful action against slavery. The party in the interest of slavery was barely defeated.

Let me not be misunderstood. Let me not be supposed to fear, that American slavery will not come to an end. My fear is, that it will not be brought to an end by Government. I have no fear, that it will not be abolished. It will be abolished—and at no distant day. If the Governments fail to abolish it, it will abolish itself. The colored people of this nation, bond and free, number four millions, and are multiplying rapidly. They are all victims of slavery—for if the free are not in the *umbra*, they are, nevertheless, in the *penumbra*, of slavery. Hence, then, as well as by identity of race, they are bound together by the strongest sympathy. Moreover, if not carried along, as rapidly as others, nevertheless they are carried along, in the general progressive knowledge of human rights. Such being the case, it is not to be supposed, that they can be held in their present condition, for ages longer. They will deliver themselves, if they are not delivered. He must be blind to history, to philosophy, to the nature of man, who can suppose, that such a system, as American slavery, can have a long life, even in circumstances most favorable to its continuance. In the most benighted portions of the earth, the victims of such a system would, in process of time, come to such a sense of their wrongs, and their power also, as to rise up and throw off the system. But that, here, such a system must be hurried to its end, is certain. For, here, it is entirely out of harmony with all the institutions around it, and with all the professions of those, who uphold it. Here it is continually pressed upon by ten thousand influences adverse to its existence. Nothing, so much as American slavery, stands in the way of the progress of the age. A little time longer, and it must yield to this progress, and be numbered with the things, that were. The only question is, whether it shall die a peaceful, or a violent, death—whether it shall quietly recede before advancing truth, or resist unto blood.

God forbid, that American slavery should come to a violent end. I hold, with O'Connell, that no revolution is worth the shedding of blood. A violent end to American slavery would constitute one of the bloodiest chapters in all the book of time. It would be such a reckoning for deep and damning wrongs—such an outbursting of smothered and pent-up revenge, as living man has never seen. Can this catastrophe be averted? Perhaps, it cannot. Perhaps, God will not let off this superlatively wicked nation on any easier terms than a servile war—a war, we must remember, that will be very like to bring within its wide sweep the whole black population of this continent and the neighboring islands—a population already numbering some ten or twelve millions. Perhaps, since we would be a nation of oppressors, He will let the oppressed smite the oppressors. Perhaps, since we would be a bloody nation, He will give us "blood, even unto the horse-bridles." There will be no such catastrophe, however, if the North and the South, equal sinners in the matter of slavery, shall hasten to mingle the tears of their penitence; to say from the heart: "We are verily guilty concerning our brother;" and to join their hands in putting away their joint and unsurpassed sin.

I shall be blamed for having treated my subject in the light of so severe a morality. It will be said, that economical views of it would have been more suitable and statesmanlike; and that I should have dwelt upon the gains to the slaveholder, and the gains to the country, from the abolition of slavery. I confess, that, had horses and oxen been the subject of my speech, the field of economy would have been wide enough for the range of my thoughts, and the course of my argument. But I have been speaking of men—of millions of immortals: and I have been claiming, that Government should lift them up out of their chattelhood and their association with brutes: and I could not so disparage the dignity, and so sully the glory, of their manhood, as to claim the performance of this high and holy duty, in the name of money. When I see my fellow-man reduced to a slave, I demand his deliverance, simply because he is a man. I cannot so wrong his exalted nature and my own, and the Great One, who made us in His own image, as to argue, that money can be made by such deliverance. I would as soon think of making a calculation of pecuniary gains my argument in dissuading from the crime of murder.

In saying, that I would not suffer the duty of delivering the slave to turn upon the question of pecuniary gains and economical advantages, I utter no peculiar doctrine. Who would suffer it thus to turn, in any case, where he regards such victims as men? But, with me, all men are men. Are the skin and the mind of my fellow-man dark? "A man's a man for a' that!" I, still recognize him, as a man. He is my brother: and I still have a brother's heart for him. Suppose the Government of Pennsylvania had, the last week, reduced all the white people of Pennsylvania, who have light hair, to slavery. Would Congress let the present week expire, without seeking their release? No! Would Congress stoop to ply that Government with arguments drawn from political economy, and to coax it with prospects of gain? No!—no!—a thousand times no! It would demand their release: and it would demand it, too, not in virtue of feeble arguments and humble authority;—but, Ethan Allen-like, in the name of God Almighty and the Congress.

I shall be blamed for not having brought out a plan for getting rid of slavery. I confess, that I have no other plan for getting rid of it but its abolition—its unconditional, entire, and immediate abolition. The slave is robbed of his manhood, of himself, and, consequently, of all his rights. There is no justice then—there is no God then—if the restoration of his rights and his restoration to himself can be innocently conditioned on anything, or innocently postponed.

I shall be, especially, blamed for not having proposed compensation. I do not repudiate—I never have repudiated—the doctrine of compensation. Compensation for his services and sufferings would be due from the slaveholder to the slave; but, clearly, no compensation for his restored liberty would be due from the slave to the slaveholder. I admit, however, that a great debt would be due, from the American people, both to the slaveholder and the slave. The American people are responsible for American slavery. It is the American people, who, in the face of the Declaration of Independence and the Constitution, as well as of religion and reason, God and humanity, have made themselves the responsible enslavers of millions. Departed generations of slaves have gone to the bar of Heaven with this accusation upon their lips; and nothing short of the repentance of the American people can prevent its being carried there by the present generation of American slaves. There is, then, a great debt due from the American people to the American slaves. But they owe one to the slaveholders also. Men become slaveholders, and continue slaveholders, and extend their investments in human flesh, on the faith of the professions, legislation, and policy of the American people, and, I may add, on the faith of the Constitution and religion of the American people, as that people do themselves interpret their Constitution and religion. Again, non-slaveholders, as well as slaveholders, feed and clothe themselves upon the cheap—(cheap, because extorted and unpaid for)—products of slave labor. They enrich their commerce with these products; and, in a word, they unite in making slavery the cherished and overshadowing interest of the nation. Now, for the American people, in these circumstances, to abolish slavery, and refuse to pay damages to the slaveholders, would be a surprise upon the slaveholders full of bad faith. For the American people to share with the slaveholders in the policy and profits of slaveholding, and then terminate it, and devolve the whole loss of its termination on the slaveholders, would be well nigh unparalleled injustice and meanness. If I have encouraged and drawn men into wickedness, I am, it is true, not to stand by them in their wickedness—for of that both they and I are to repent:—but I am to stand by them in their loss, and to share it with them. The English people gave to the masters of eight hundred thousand slaves a hundred millions of dollars. I would, that the American people, after they shall have abolished American slavery, might give to the masters of four times that number of slaves four times the hundred millions of dollars; and far more, would I, that they should provide liberally for the humbler and cheaper, but infinitely more sacred, needs of the emancipated. "Then" my now dark and guilty country! "shall thy light break forth as the morning, and thine health spring forth speedily; and thy righteousness shall go before thee: the glory of the Lord shall be thy rereward."

I am well aware, that, in reply to my admission, that the American people should thus burden themselves, it will be said, that slavery is a State, and not a National concern; and that it is for the State Governments, and not for the National Government, to dispose of it. I, certainly, do not deny, that, if slavery can be legalized in our country, it must be under the State Governments only. Nevertheless, I hold, that every part of American slavery is the concern of every part of the American people, because the whole American people and the American Government have, though in defiance of the Constitution, made it such. And, as they have made it such, *the denationalizing of slavery*, (as the phrase is with the Independent or Free Democrats,) is not the whole duty, to which we are called. We will not have done our whole duty, when we shall have abolished all the slavery, which exists within the exclusive jurisdiction of Congress. For slavery, under the State Governments also, has been fostered and established by the whole American people and the American Government:—and I add, by the way, that, had it not been so fostered and established, there would, at this day, have been no slavery in the land.

If John Smith has built a distillery; and if he has, also, encouraged his neighbors to build half a dozen more; and, especially, if he has patronized and profited by the half dozen distilleries; then, his work of repentance is not all done, when he has broken up his distillery:—and, none the more is it all done, because it was contrary to law, that he had a part in getting up and sustaining the half dozen distilleries. The *de-Smithing* of all this distillation, and of all the drunkenness, that has resulted from it, obviously fails to cover the whole ground of his duty, unless, indeed, as is proper, the *de-Smithing* is interpreted to mean the breaking up of all these distilleries and their resulting drunkenness. So, too, the *denationalizing* of slavery, unless it be thus broadly and justly interpreted, falls short of the measure of the duty of the nation. The nation, whether constitutionally or unconstitutionally, has built up slavery: and, therefore, the nation should end it, and pay to end it.

I said, that I shall be blamed for speaking unwisely on the subject of slavery. I add, that I shall be blamed for speaking on it, at all. To speak against slavery in any manner, and, especially, in the national councils, is construed into hostility to the Union:—and hostility to the Union is, in the eye of American patriotism, the most odious of all offences—the most heinous of all crimes.

I prize the Union, because I prize the wisdom, courage, philanthropy, and piety, of which it was begotten. I prize it, because I prize the signal sufferings and sacrifices, which it cost our fathers. I prize it, because I prize its objects—those great and glorious objects, that prompted to the Declaration of Independence; that were cherished through a seven years' war; and that were then recited in the Preamble of the Constitution, as the objects of the Constitution. I prize it, for the great power it has to honor God and bless man. I prize it, because I believe the day will come, when this power shall be exerted to this end.

Now, surely, opposition to slavery cannot be hostility to such a Union. Such a Union is not assailed, and cannot be endangered, by opposition, however strenuous, to slavery, or to any other form of oppression, or to any other system of iniquity. To attack what is good, is to be hostile to such a Union. To attack what is evil, is to befriend it.

Nevertheless, the position is persisted in, that to attack slavery is to attack the Union. How are we to account for this persistence in this absurd position? It is easily accounted for. The position is not absurd. There are *two* Unions. There is the Union of early times—that, which our fathers formed, and the most authentic record of the formation of which, and of the spirit and objects of which, is to be found in the Declaration of Independence and the Federal Constitution. This is the Union openly based on the doctrine of the equal rights of all men. This is the Union, the avowed purpose of which is "to establish justice and secure the blessings of liberty." Then, there is the other Union—the Union of later times—of our times—manufactured, on the one hand, by Southern slaveholders, and, on the other, by Northern merchants and Northern politicians. The professed aims of this new Union are, of course, patriotic and beautiful. Its real, and but thinly disguised, aims are extended and perpetual slavery, on the one hand, and political and commercial gains, on the other. The bad character of this new Union is not more apparent in its aims, than in its fruits, which prove these aims. Among these fruits are Union Safety Committee Resolutions; Baltimore platforms; pro-slavery pledges of members of Congress; Resolutions of servile Legislatures; contemptible Inaugurals, in which, now a Governor, and now a President, go all lengths for slavery; and, above all, or rather below all, Union-saving and slave-catching sermons of devil-deluded and devil-driven Doctors of Divinity. To this list is, now, to be added the stupendous breach of faith, proposed in the Bill before us. This Bill, which lays open all our unorganized territory to slavery, is a legitimate fruit of the new Union. The consecration of all the national territory to freedom, sixty-five years ago, was the legitimate fruit of the old Union. Which is the better Union? By their fruits ye shall know them.

Now, the matter is not explained by saying, that this new Union is but a misinterpretation of the old. Misinterpretation cannot go so far, as to change the whole nature of its subject. Oh no, it is not a misinterpretation. But it is distinctly and entirely another Union, with which its manufacturers are endeavoring to supplant the Union given to us by our fathers:—and this supplanting Union is as unlike the precious gift, as darkness is unlike light, as falsehood is unlike truth.

When, then, we, who are laboring for the overthrow of slavery, and for the practical acknowledgment of the equal rights of all men, are charged with hostility to the Union, it is, indeed, pretended by those, who make the charge, and for the sake of effect, that we are hostile to the original and true Union. Our hostility, nevertheless, is but to the conjured-up and spurious Union. Our only offence is, that we withstand the base appeals and seductive influences of the day. The only cause, for the abundant reproach, which has befallen us, is, that, in our honesty and patriotism, we still stand by that good old Union, which is a Union for justice and liberty; and that we bravely oppose ourselves to those artful and wicked men, who would substitute for it a Union for slavery, and place, and gain; and who are even impudent enough to claim, that this trumped-up Union is identical with that good old Union. Yes, wicked, artful, impudent, indeed, must they be, who can claim, that this dirty work of their own dirty hands is that veritable work of our fathers, which is the glory of our fathers.

I have done. Methinks, were I a wise and good man, and could have the whole American people for my audience, I should like to speak to them, in the fitting phrase, which such a man commands, the words of truth and soberness, remonstrance and righteousness. And, yet, why should I?—for, in all probability, such words would be of little present avail. The American people are, as yet, in no state "to hear with their ears, and understand with their heart"—for "their heart is waxed gross, and their ears are dull of hearing." Yet, awhile, and he, who should speak to them such words, would, like Lot, "seem as one, that mocked." This is a nation of oppressors—from the North to the South—from the East to the West—and, what is more, of strong and successful oppressors;—and, hence, there is but little room to hope, that she will listen and repent. This nation holds, in the iron and crushing grasp of slavery, between three and four millions, whose poor hearts writhe and agonize no less than would ours, were their fate our fate. And, yet, she is not content even with these wide desolations of human rights and human happiness. On the contrary, she is continually seeking to extend the horrid realm of slavery. It is not enough, that she purchased Louisiana, and gave up, by far, the most valuable part of it to slavery: nor, that she purchased Florida, and gave up all of it to slavery: nor is it enough, that there is so much reason to fear, that the mighty and sleepless efforts to overspread with slavery the whole territory, of which she plundered Mexico, will prove extensively, if not, indeed, entirely successful. Nor, is it enough, that there is imminent danger, that Nebraska and Kansas will be wrested from freedom, and added to the domain of slavery and sorrow. All this is not enough to satisfy the desire of this nation to extend the reign of slavery. Her gloating and covetous eyes are constantly upon the remainder of Mexico; upon Cuba; St. Domingo; and other "islands of the sea." All these she is impatient to scourge with that most terrible of all forms of oppression—American slavery.

Said I not truly, then, that there is but little ground to hope for the repentance of this nation? Must she not be well nigh dead to every conceivable attempt to bring her to repentance? But she will not be so always. The voices of truthful, tender, faithful admonition, now unheard or despised by her, will yet reach her heart. She may, it is true, (Heaven spare her from the need of such discipline!) have, first, to pass through foreign wars, and servile wars, and still other horrors. But the day of her redemption—or, in other words, of her broken-hearted sorrow for her crimes—(for such sorrow is redemption, whether in the case of an individual or a nation)—will, sooner or later, come. And when that day shall come, the moral soil of America, watered with the tears of penitence, shall bring forth fruits to the glory of God and the welfare of man, rivalling in abundance, and infinitely surpassing in preciousness, the rich harvests of her literal soil. In that day, our nation shall be worthy of all, that God and good men have done for her. Her material wealth, surpassing that of any other nation, shall be no greater than her moral wealth: and her gigantic and unmatched power shall be only a power to bless.

What I have just said is, indeed, but prophecy—and the prophecy, too, of an ignorant and short-sighted man:—and it may, therefore, never be fulfilled. My anticipations of a beautiful and blessed renovation for my beloved country may never be realized. She may be left to perish, and to perish forever. What then? Must I cease my efforts for her salvation? Happily, I am not dependent on prophecy for the interpretation of my duty, nor to sustain my fidelity, nor to encourage the opening of my lips. I am cast upon no such uncertainty. I am to continue to plead for my country; and to feel assured, that I do not plead in vain. If prophecy is all uncertain—nevertheless, there are certainties, gracious certainties, on which it is my privilege to rely. I *know*, that in the Divine Economy, no honest discharge of the conscience, and no faithful testimony of the heart, shall be suffered to go unrewarded. I *know*, that, in this perfect and blessed Economy, no sincere words in behalf of the right are lost. Time and truth will save them from falling ineffectual. To time and truth, therefore, do I cordially commit all, that I have said on this occasion; and patiently will I wait to see what uses time and truth shall make of it.

Note.—As this speech was delivered under the one-hour rule, its argument, at several points, was necessarily brief. In writing it out for the press, the liberty has been taken to expand the argument, at some of these points.

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